

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST

for the

Land Disposal Restrictions as of February 19, 1997

1) This checklist consolidates the changes to Federal code addressed by the following Land Disposal Restrictions (R) checklists:

- Revision Checklist 34 [51 FR 40572 (November 7, 1986), 52 FR 21010 (June 4, 1987)];
- Revision Checklist 39 [52 FR 25760 (July 8, 1987), 52 FR 41295 (October 27, 1987)];
- Revision Checklist 50 [53 FR 31138 (August 17, 1988), 54 FR 8264 (February 27, 1989)];
- Revision Checklist 62 [54 FR 18836 (May 2, 1989)];
- Revision Checklist 63 [54 FR 26594 (June 23, 1989)];
- Revision Checklist 66 [54 FR 36967 (September 6, 1989), 55 FR 23935 (June 13, 1990)];
- Revision Checklist 78 [55 FR 22520 (June 1, 1990)];
- Revision Checklist 83 [56 FR 3864 (January 31, 1991)];
- Revision Checklist 95 [56 FR 41164 (August 19, 1991)];
- Revision Checklist 102 [57 FR 8086 (March 6, 1992)];
- Revision Checklist 103 [57 FR 20766 (May 15, 1992)];
- Revision Checklist 106 [57 FR 28628 (June 26, 1992)];
- Revision Checklist 109 [57 FR 37194 (August 18, 1992)];
- Revision Checklist 116 [57 FR 47772 (October 20, 1992)];
- Revision Checklist 123 [58 FR 28506 (May 14, 1993)];
- Revision Checklist 124 [58 FR 29860 (May 24, 1993)];
- Revision Checklist 136 [59 FR 43496 (August 24, 1994)];
- Revision Checklist 137 [59 FR 47982 (September 19, 1994), 60 FR 242 (January 3, 1995)]; and
- Revision Checklists 142A - 142E [60 FR 25492 (May 11, 1995)], as they relate to LDR.
- Revision Checklist 151 [61 FR 15566 (April 8, 1996), 61 FR 15660 (April 8, 1996), 61 FR 19117 (April 30, 1996), 61 FR 33680 (June 28, 1996), 61 FR 36419 (July 10, 1996), 61 FR 43924 (August 26, 1996), and 62 FR 7502 (February 19, 1997)]

*include
checklist
100*

Note that the LDR Consolidated Checklists as of June 30, 1996 will not be issued. Rather, in order to include the seven final rules addressed by Revision Checklist 151, included in SPA 17, this LDR Consolidated Checklist has been revised to include changes to the Federal regulations through February 19, 1997.

The LDR "Checklist Reference" column indicates which of these checklists have affected each listed citation. Subsequent to promulgation of the first LDR rule (i.e., the rule addressed by Revision Checklist 34), checklists other than the LDR checklists have also affected certain sections of code addressed by the LDR checklists. The effects of these subsequent checklists are indicated in endnotes. Of special note are 270.42(o)&(p) and 270.72(e). In both cases, subsequent checklists either removed or redesignated these sections of code. The section numbering found in the associated LDR final rule for these paragraphs is used, rather than the new numbering found in the subsequent checklists.

An exception to the footnoting procedure occurs to specify the effect which the Toxicity Characteristics Rule (Revision Checklist 74; 55 FR 11798, March 29, 1990, and 55 FR 26986, June 29, 1990) and the Testing and Monitoring Activities Rule (Revision Checklist 126; 58 FR 46040, August 31, 1993, and 59 FR 47980, September 19, 1994) had on the TCLP procedure. Because the TCLP procedure is integral to the LDR requirements (see Note 7 below), the changes made by Revision Checklists 74 and 126, which are non-LDR checklists, are noted in the LDR checklist reference column. Explanatory endnotes are also included.

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2) In this version of the LDR Consolidated Checklist, reference to "151" in the "Checklist Reference" column will signify that changes were made by at least one of the Revision Checklist 151 final rules. States should refer to Revision Checklist 151 for detailed information to identify which specific final rules affected each citation. A summary of the changes addressed by the final rules of Revision Checklist 151 is provided below.

The first April 8, 1996, rule established treatment standards for hazardous wastes from the production of carbamate pesticides and from primary aluminum production under the LDR program. In addition, this rule amended the treatment standards for hazardous wastes that exhibit the characteristic of reactivity and began the process of amending existing treatment standards for wastewaters which are hazardous because they display the characteristic of ignitability, corrosivity, reactivity or toxicity. Finally, EPA codified as a rule its existing enforcement policy that combustion of inorganic wastes is an impermissible form of treatment because hazardous constituents are being diluted rather than effectively treated.

Portions of the first April 8, 1996, rule published at 61 FR 15566, amended existing treatment standards for decharacterized wastewaters that are managed in surface impoundments regulated under the Clean Water Act (CWA) or in CWA-equivalent systems, and in Class I nonhazardous waste injection wells regulated under the Safe Drinking Water Act (SDWA). EPA promulgated these provisions to partially implement the holding and reasoning of the D.C. Circuit Court's opinion in CWM v. EPA, 976 F.2d 2 (D.C. Cir. 1992), cert. denied, 507 U.S. 1057 (1993). However, Congress passed the Land Disposal Flexibility Act of 1996 that put back in place the approach for centrally-managed, decharacterized wastewater which EPA adopted as part of the "Third Third" rule promulgated on June 1, 1990 (55 FR 22520). The purpose of the second April 8, 1996 rule (61 FR 15660) was to withdraw those portions of the first April 8th rule which were inconsistent with the new law. This action put back into place, for certain wastewaters, the rules which existed prior to the LDR Phase III rule (i.e., only the characteristic property must be removed).

Three technical corrections were published on April 30, 1996 (61 FR 19117), June 28, 1996 (61 FR 33680-33691), and July 10, 1996 (61 FR 36419-36421). The sixth rule, published on August 26, 1996 (61 FR 43924-43931), was an emergency revision that addressed a serious analytic monitoring problem associated with the carbamate constituent treatment standards. The seventh rule, published on February 19, 1997 (62 FR 7502-7600), updated and corrected the 268.40 and 268.48 tables dealing with treatment standards, including the removal of treatment standards for the 25 waste codes whose listings were vacated by the November 1, 1996 D.C. Circuit Court of Appeals decision, Dithiocarbamate Task Force v. EPA, F.3d (D.C.Cir. 1996).

3) The following Part 268 sections are not delegable to States because of the national concerns which must be examined when decisions are made relative to them: 268.5 (case-by-case effective date extensions) and 268.42(b) (application for alternate treatment method). "No migration" petitions under 268.6 will be handled by EPA, even though States may be authorized to grant such petitions in the future. States have the authority to grant such petitions under RCRA Section 3006 because such decisions do not require a national perspective, as is the case for decisions under 268.5 or 268.42(b). However, EPA has had few opportunities to implement the land disposal restrictions and expects to gain valuable experience and information from reviewing "no-migration" petitions.

Section 268.44 was considered non-delegable (see 52 FR 25783, July 8, 1987) until just recently. In the HWIR-media proposed rule, EPA announced that States can seek authorization for both the site-specific treatment variances at 268.44 and the HWIR-media specific treatment variance procedures at Part 269 proposed in that rule. Because there has been some confusion over how to handle the delegability issue in State regulations, some States may already be inadvertently authorized for 268.44. EPA is requesting that States note in their HWIR-media program revision application, other authorization applications, or in official correspondence whether they believe they have been authorized for site-specific

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treatment variances. EPA will evaluate that aspect of a State's submittal to confirm the State's authorization. For further information see 61 FR 18828 (April 29, 1996).

4) In the past, the nondelegable sections/paragraphs of the LDR regulations have been omitted from the LDR checklists because States could not assume the authority for them. However, this procedure has led to confusion among the States on how to handle the sections/paragraphs in their code. For this reason, the Agency has decided to include these nondelegable sections on the LDR checklists. To differentiate these sections from the delegable portions of the LDR restrictions, asterisks precede (a single row) and follow (a double row) each nondelegable section. If States have already filled out a version of this Consolidated Land Disposal Restriction Checklist which does not include the nondelegable sections, they need not fill out a revised version containing these sections. This change in format was made only to improve clarity.

The Agency suggests that States incorporate the nondelegable portions of the LDR regulations into their regulations because this incorporation aids the regulated community in knowing that the extensions, exemptions and variances addressed by the nondelegable sections of code are available to them. It is essential, however, that States leave the terms "Administrator", "Federal Register" and "Agency" unchanged, i.e., States may not substitute analogous State terms for these Federal terms. Similarly, States incorporating by reference must be careful to exclude these sections from blanket substitutions of State terms for Federal terms. For a more complete discussion of issues surrounding nondelegable sections, see Appendix J of the State Authorization Manual (SAM).

5) Note that while 268.40 is delegable to States, "Administrator" in the following phrase "approved by the Administrator under the procedures set forth in 268.42(b)" should not be replaced in 268.40(b) with an analogous State term because it is referring to decisions under 268.42(b). Such decisions will be made by the EPA Administrator.

6) States do not need to adopt requirements equivalent to 40 CFR 268.13 because it contains the schedule by which EPA must evaluate wastes for land disposal restrictions. As such, this section is not included in this consolidated checklist. States do need to adopt, however, requirements equivalent to 268.14. Such requirements address the length of time interim status impoundments can be used to receive or generate newly identified or listed hazardous wastes and resolve the potential conflicts between RCRA §§3004(h)(4), 3005(j)(6) and 3004(j)(11) [see the discussion in the Federal Register for Revision Checklist 109, pp. 37218-37221].

7) The non-LDR Revision Checklist 126 (58 FR 46040, August 31, 1993, as amended by 59 FR 47980 on September 19, 1994) replaced the TCLP (method 1311) in Part 261 Appendix II (the Revision Checklist 74 version) and the EP toxicity test method (method 1310) in Part 268 Appendix IX (the Revision Checklist 83 version) with notes referencing these methods in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" which is incorporated by reference at 260.11(a). As a result, all internal references to Part 261 Appendix II and Part 268 Appendix IX were revised to reflect these changes. Revision Checklist 126 did not revise the content nor the intended use of the TCLP or the EP toxicity methods. However, because this checklist changed the location of these methods and their internal references, States that are adopting or revising their LDR program should adopt Revision Checklist 126.

As background, the TCLP was originally promulgated in part 268, Appendix I by Revision Checklist 34 (51 FR 40572; November 7, 1986) for use in the LDR program to determine whether certain wastes require treatment prior to land disposal and to determine whether certain treated wastes meet the applicable treatment standards. The TC Rule (Revision Checklist 74) promulgated a revised TCLP at part 261, Appendix II, with modification based on the Agency's own research and public comment. This version of the TCLP is referred to in the Third Third Scheduled Waste Rule (Revision

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Checklist 78: 55 FR 22520, June 1, 1990) and replaced the Revision Checklist 34 version. As noted in the paragraph above, the location of the TCLP has subsequently been revised by Revision Checklist 126.

8) Guidance regarding the use of the new TCLP versus the EP Toxicity Test may be found at 55 FR 22660 (June 1, 1990).

9) Adopting the alternate treatment standards for lab packs is optional. However, if a State chooses to adopt these alternate standards, all of the requirements related to these standards must be adopted, including all of the provisions added by the Third Third Scheduled Waste Rule (i.e., Revision Checklist 78) at 264.316(f), 265.316(f), 268.7(a)(8), 268.7(a)(9), 268.42(c), 268.42(c)(1)-(4), and Appendices IV and V to Part 268.

10) The Universal Treatment Standards rule addressed by Revision Checklist 137 (59 FR 47982, September 19, 1994; 60 FR 242, January 3, 1995) made significant revisions to the existing Land Disposal Restrictions program to simplify and provide consistency in these requirements. With respect to the LDR program, a single set of requirements, referred to as the universal treatment standards (UTS), was established that applies to most hazardous wastes. These standards replaced the myriad constituent concentration levels with a uniform set of constituent levels, that is, the Part 268 tables containing treatment standards were consolidated into a single table (the "Treatment Standards for Hazardous Wastes" table in 268.40).

The Universal Treatment Standards rule was promulgated relative to HSWA authorities, with the exception of the modifications made to the definition of solid waste. Normally, all of the HSWA requirements would go into effect immediately. However, many States are currently authorized for the land disposal restrictions, and the September 19, 1994 modifications would result in the authority for these programs to return, in part, to EPA. Because the Agency believes that it was not Congress' intent that the responsibility for already-authorized HSWA programs be returned to EPA every time EPA promulgates modifications to HSWA program requirements, EPA has decided not to implement the UTS separately for those wastes for which the State has already received LDR authorization. Under this approach, those States authorized for some or all of the LDRs will continue to implement those portions of the program for which they are authorized, whether or not they have adopted the new standards. (See the December 19, 1994 memo from Mike Shapiro in Appendix N of the SAM.)

11) The Universal Waste rule addressed by Revision Checklists 142A through 142E (60 FR 25492; May 11, 1995) is a non-LDR rule. This rule, however, added a provision at 268.1(f) stating that handlers and transporters of the universal wastes listed at 268.1(f)(1)-(3) are exempted from the requirements at 268.7 and 268.50. For completeness, paragraphs 268.1(f) and (f)(1)-(3) are included on this Consolidated LDR Checklist. These provisions are applicable only to those States that wish to adopt the Universal Waste rule.

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

insert "and 268"	34	260.1(a)	105 ✓	EQ			
insert "and 268"	34	260.1(b)(1)	'319 ✓			MS	
insert "and 268"	34	260.1(b)(2)	111 ✓	EQ			
insert "and 268"	34	260.1(b)(3)	109 ✓	EQ			
insert "and 268"	34	260.1(b)(4)	105.H ✓	EQ			

AVAILABILITY OF INFORMATION; CONFIDENTIALITY OF INFORMATION

insert "and 268"	34	260.2(a)	317.C ✓	EQ			
insert "and 268"	34	260.2(b)	'319 ✓			MS	

USE OF NUMBER AND GENDER

insert "and 268"	34	260.3	111 ✓	EQ			
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SUBPART B - DEFINITIONS

DEFINITIONS

1 insert "and 268" to introductory text	34	260.10	109 ✓	EQ			
add "containment building"	109	260.10	109.Containment Building ✓	EQ			
revise "miscellaneous unit"	109	260.10	109.Miscellaneous Unit ✓	EQ			
revise "pile"	109	260.10	109.Pile ✓	EQ			

REFERENCES

¹LAC 33:V.319, which refers to LAC 33:I.Chapter 5, is more stringent than 40 CFR 260.1(b)(1) and 40 CFR 260.2(b) federal equivalent(s) because the regulations in LAC 33:I.Chapter 5 require more specific information than that of the federal regulations.

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
2 3 replace "Parts 260 through 265" with "Parts 260 through 270"	39	260.11(a)	110.A ✓	EQ			
revise reference to "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" to refer to third edition; add ASTM Method E926-88 to the end of the list of publications incorporated by reference; remove unnumbered paragraph and list of analytical testing methods; remove footnote 1 following the list of publications incorporated by reference	126	260.11(a)	110.A.11 ✓	EQ			

SUBPART C - RULEMAKING PETITIONS

GENERAL

4 † insert "and 268"	†34	260.20(a)	105.H(†) ✓	EQ			
† VARIANCES FROM CLASSIFICATION AS A SOLID WASTE							
change "Regional Administrator" to "Administrator"	137	260.30 intro	105.O.1 ✓	EQ			
remove "primary production"	137	260.30(b)	105.O.1.b ✓	EQ			
† STANDARDS AND CRITERIA FOR VARIANCES FROM CLASSIFICATION AS A SOLID WASTE							
change both occurrences of "Regional Administrator" to "Administrator"; remove "standards and" from the last sentence	137	260.31(a)	105.O.2.a ✓	EQ			
change "Regional Administrator" to "Administrator"	137	260.31(b)	105.O.2.b ✓	EQ			
† VARIANCE TO BE CLASSIFIED AS A BOILER							

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
change "Regional Administrator" to "Administrator"	137	260.32 intro	105.K.1 ✓	EQ			

† PROCEDURES FOR VARIANCES FROM CLASSIFICATION AS A SOLID WASTE OR TO BE CLASSIFIED AS A BOILER

change "Regional Administrator" to "Administrator"	137	260.33 intro	105.K.2 /	EQ			
change "Regional Administrator" to "Administrator"; replace "in the region where the recycler is located" with "for the variance"; remove "of this part" after "260.32"	137	260.33(a)	105.K.2.a ✓	EQ			
change the three occurrences of "Regional Administrator" to "Administrator"; remove ", and this decision may not be appealed to the Administrator"	137	260.33(b)	105.K.2.b ✓	EQ			

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

PURPOSE AND SCOPE

insert "268,"	34	261.1(a)	105 ✓	EQ			
insert ", 268"	34	261.1(a)(1)	105 ✓	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADE R IN SCOPE
DEFINITION OF SOLID WASTE							
† insert "or land disposed" after "first being reclaimed"; replace the phrase "raw material feedstock, and the process must use raw materials as principal feedstocks" with "feedstock materials"; add a sentence prohibiting the placement on the land of materials that are returned to a secondary process	137	261.2(e)(1)(iii)	109.Solid Waste.5.iii ✓	EQ			
DEFINITION OF HAZARDOUS WASTE							
insert "of this part" after the first "subpart C"; insert "," before "or unless"; add a sentence addressing the relationship of nonwastewater mixtures and the Part 268 requirements	109	261.3(a)(2)(iii)	109.Hazardous Waste.2.c ✓	EQ			

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† split paragraph into two 5 subparagraphs. (C)(1)&(2), with the second subparagraph addressing the notification for HTMR residues: in first subparagraph, insert ", K062 or F006" after "K061"; replace "(as defined in 40 CFR 260.10(6), (7), and (12))" with "(as defined in paragraphs (6), (7), and (13) of the definition for 'Industrial Furnace' in 40 CFR 260.10)"; replace "identified below" with "identified in the tables in this paragraph"; replace "The generic exclusion levels are:" with a sentence addressing burden of proof for persons claiming this exclusion in an enforcement action; replace single table with the two tables indicated at 57 FR 37264	95,109	261.3(c)(2)(ii)(C) (1)	109.Hazardous Waste.4.b.ii.(c).(i) ✓	EQ			
† completely revise requirements , addressing notification and 5 certification; one- time notification and certification for K061, K062 or F006 HTMR residues, which meet generic exclusion levels and exhibit no characteristics, that are sent to Subtitle D units; update of notification and certification; annual EPA/State notification; deadline for submission to EPA/State; what the notification must include; certification signed by authorized representative and what it must state	95,109	261.3(c)(2)(ii)(C) (2)	109.Hazardous Waste.4.b.ii.(c).(ii) ✓	EQ			

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add parenthetical phrase regarding characteristic waste, no longer exhibiting a characteristic, that still may be subject to 268 requirements	83	261.3(d)(1)	109.Hazardous Waste.5.a ✓	EQ			
add new paragraph and subparagraphs addressing debris that is excluded from regulation provided it meets specified criteria:	109	261.3(f)	109.Hazardous Waste.6 ✓	EQ			
Part 268-defined hazardous debris treated using a specified 268.45, Table 1, extraction or destruction technology; burden of proof on claimant in an enforcement action	109	261.3(f)(1)	109.Hazardous Waste.6.a ✓	EQ			
Part 268-defined debris determined by Regional Administrator to no longer be contaminated with hazardous waste	109	261.3(f)(2)	109.Hazardous Waste.6.b ✓	EQ			

EXCLUSIONS

† add new paragraph which excludes as solid waste nonwastewater splash condenser dross residue from the treatment of K061 in high temperature metals recovery units, provided it is shipped in drums and not land disposed before recovery	95	261.4(a)(11)	105.D.1.k ✓	EQ			
insert "268,"	34	261.4(c)	105.D.3 ✓	EQ			
remove "267" and insert "268"	34	261.4(d)(1)	105.D.4.a ✓	EQ			

SPECIAL REQUIREMENTS FOR HAZARDOUS WASTE GENERATED BY CONDITIONALLY EXEMPT SMALL QUANTITY GENERATORS

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS.			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
insert ", 268,"	34	261.5(b)	² 3901 ✓			MS	
1 insert ", 268,"	34	261.5(c)	² 3903 ✓			MS	
insert ", 268,"	34	261.5(e)	² 3911 ✓			MS	
6 insert ", 268,"	34	261.5(f)(2)	² 3913/3915 ✓			MS	
insert ", 268,"	34	261.5(g)(2)	² 3913/3915 ✓			MS	

REQUIREMENTS FOR RECYCLABLE MATERIALS

insert "268,"	34	261.6(a)(3)	4105.B ✓	EQ			
insert "268,"	34	261.6(c)(1)	4115.A ✓	EQ			

RESIDUES OF HAZARDOUS WASTE IN EMPTY CONTAINERS

insert "268,"	34	261.7(a)(1)(ii)	109.Empty Container.1.a ✓	EQ			
insert "268,"	34	261.7(a)(2)(ii)	109.Empty Container.2.b	EQ	<i>should be 1.b</i>		

SUBPART C - CHARACTERISTICS OF HAZARDOUS WASTE

GENERAL

insert "268,"; remove ", but is not listed as a hazardous waste in Subpart D"; change "the EPA" to "every EPA"; insert "that is applicable as" before "set forth"; remove "in the respective characteristic" before "in this Subpart"; insert "used" after "This number must be"; before "recordkeeping" change "certain" to "all applicable"	34,78,83	261.20(b)	4903.F ✓	EQ			
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CHARACTERISTIC OF IGNITABILITY

remove ", but is not listed as a hazardous waste in Subpart D,"	78	261.21(b)	4903.B ✓	EQ			
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² SQG in the State of Louisiana is regulated more stringent than the federal regulations.

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS.			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADE R IN SCOPE
CHARACTERISTIC OF CORROSIVITY							
remove ", but is not listed as a hazardous waste in Subpart D,"	78	261.22(b)	4903.C ✓	EQ			

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

CHARACTERISTIC OF REACTIVITY

remove ", but is not listed as a hazardous waste in Subpart D,"	78	261.23(b)	4903.D ✓	EQ			
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TOXICITY CHARACTERISTIC

7 remove ", but is not listed as a hazardous waste in Subpart D,"	78	261.24(b)	4903.E.2 ✓	EQ			
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SUBPART D - LISTS OF HAZARDOUS WASTES

GENERAL

insert "268,"	34	261.30(c)	4901.A.1 ✓	EQ			
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HAZARDOUS WASTES FROM NON-SPECIFIC SOURCES

add the waste "F039" in alpha-numeric order to list	78,83	261.31(a)	4901.B.Table 1 ✓	EQ			
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DISCARDED COMMERCIAL CHEMICAL PRODUCTS, OFF-SPECIFICATION SPECIES, CONTAINER RESIDUES, AND SPILL RESIDUES THEREOF

8 insert "or (f)" after "(e)"; change "261.7(b)(3)" to "261.7(b)"	78	261.33(c)	4901.D.3 ✓	EQ			
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APPENDIX VII, PART 261

BASIS FOR LISTING HAZARDOUS WASTE

add "F039" to list in alphanumeric order	78	Appendix VII	4901.G.Table 6 ✓	EQ			
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART A - GENERAL

HAZARDOUS WASTE DETERMINATION

in the first sentence, replace "If" with "For purposes of compliance with 40 CFR Part 268, or if"; remove "as a hazardous waste" after "listed"; replace "he must determine" with "the generator must then determine"	78.83	262.11(c)	1103.B ✓	EQ			
1 add new paragraph regarding possible exclusions or restrictions in Parts 264, 265 or 268	34	262.11(d)	1103.C ✓	EQ			

SUBPART C - PRE-TRANSPORT REQUIREMENTS

ACCUMULATION TIME

replace ";" at the end of text with a ":"	109	262.34(a)(1)(iii)	1109.E.1.c <i>new</i>	EQ			
replace "." with "; and/or"	109	262.34(a)(1)(iii) (B)	1109.E.1.c.ii <i>9/20/98</i>	EQ	<i>is</i>	<i>1109.E.1.a.iii</i>	<i>ii(b)</i>
add new subparagraphs addressing waste placed in containment buildings; compliance with 265, Subpart DD; professional engineer certification of compliance with 265.1101 design standards placed in operating record no later than 60 days after the date of initial unit operation; requirements after February 18, 1993; records which must be maintained	109	262.34(a)(1)(iv)	1109.E.1.d <i>9/20/98</i>	EQ	<i>is</i>	<i>1109.E.1.a.iv</i>	

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
written description of procedures to ensure each waste volume remains in unit for no more than 90 days; written description of waste generation and management practices for the facility showing that they are consistent with respecting the 90-day limit; documentation that procedures are complied with	109	262.34(a)(1)(iv)(A)	1109.E.1.d.i	EQ			
documentation that unit is emptied at least once every 90 days	109	262.34(a)(1)(iv)(B)	1109.E.d.ii	EQ			
9 remove first paragraph numbered (a)(2) (including (a)(2)(i)&(ii)); remove unnumbered paragraph following (a)(2)(ii)	109	262.34(a)(2)	1109.E.1.e	EQ			
replace "and with §265.16" with ", with §265.16, and with 40 CFR 268.7(a)(4)"	78	262.34(a)(4)	1109.E.1.e	EQ			
replace "and" between "section" and "the requirements" with ";" and add "the requirements of 40 CFR 268.7(a)(4)"	83	262.34(d)(4)	1109.E.7.c	EQ			

SUBPART G - FARMERS

FARMERS

10 pesticide disposal by farmers	†39	262.70	1101.D	EQ			
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PART 263 - STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE

SUBPART A - GENERAL

TRANSFER FACILITY REQUIREMENTS

insert ", 268"	34	263.12	211305.C	EQ			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

**PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT,
STORAGE, AND DISPOSAL FACILITIES**

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

change "." to ","; add phrase regarding compliance with 264.17(b) if owner or operator is diluting hazardous ignitable wastes or reactive wastes to remove the characteristic before land disposal; replace "268.42, Table 2, of this chapter," with "268.40 of this chapter, Table Treatment Standards for Hazardous Wastes"	124.137	264.1(g)(6)	1501.C.6 ✓	EQ			
add new paragraph regarding facilities to which Part 264 applies	34	264.1(h)	1501.D ✓	EQ			

SUBPART B - GENERAL FACILITY STANDARDS

GENERAL WASTE ANALYSIS

1 1 insert "Part 268"; add sentence , regarding what information, at a 1 minimum, the waste analysis 2 must contain	34,102	264.13(a)(1)	1519.A.1 ✓	EQ			
revise comment following paragraph (a)(2) as follows: remove "or all" after "supply part"; add ", except as otherwise specified in 40 CFR 268.7(b) and (c)." to the second sentence	78	264.13(a)(2)	1519.A.2 ✓	EQ			
insert "268.7"	34	264.13(b)(6)	1519.B.7 ✓	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add new paragraph and subparagraphs regarding exempted surface impoundment plan specifications	34	264.13(b)(7)	1519.B.8 ✓	EQ			
sampling impoundment contents	34	264.13(b)(7)(i)	1519.B.8.a ✓	EQ			
analysis procedures	34	264.13(b)(7)(ii)	1519.B.8.b	EQ			
annual removal of specific residues: criteria:	34,39,50	264.13(b)(7)(iii)	1519.B.8.c	EQ			
do not meet treatment standards of Part 268, Subpart D	50	264.13(b)(7)(iii)(A)	1519.B.8.c.i ✓	EQ			
where no treatment standards have been established	50	264.13(b)(7)(iii)(B)	1519.B.8.c.ii	EQ			
prohibited disposal of residues under 268.32 or RCRA 3004(d)	50	264.13(b)(7)(iii)(B)(1)	1519.B.8.c.ii.(a)	EQ			
prohibited disposal of residues under 268.33(f)	50	264.13(b)(7)(iii)(B)(2)	1519.B.8.c.ii.(b)	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

OPERATING RECORD

add "268.4(a)" and "268.7"	34	264.73(b)(3)	1529.B.6 ✓	EQ			
add new paragraph; records for each shipment placed in units under a 268.5 extension, a 268.6 petition, or a 268.8 certification; 268.7(a) generator notice	34.50	264.73(b)(10)	1529.B.12	EQ			
add new paragraph; off-site treatment facility requirements	34.50	264.73(b)(11)	1529.B.13	EQ			
add new paragraph; on-site treatment facility requirements	34.50	264.73(b)(12)	1529.B.14	EQ			
add new paragraph; off-site land disposal facility requirements	34.50	264.73(b)(13)	1529.B.15	EQ			
1 add new paragraph; on-site land disposal facility requirements	34.50	264.73(b)(14)	1529.B.16	EQ			
add new paragraph; off-site storage facility requirements	50	264.73(b)(15)	1529.B.17	EQ			
add new paragraph; on-site storage facility requirements	50	264.73(b)(16)	1529.B.18	EQ			

SUBPART G - CLOSURE AND POST-CLOSURE

APPLICABILITY

remove "and" from the end of paragraph	109	264.110(b)(1)	3501.C.1 ✓	EQ			
replace "." with ";"	109	264.110(b)(2)	3501.C.2 ✓	EQ			
replace "." with ";" and"	109	264.110(b)(3)	3501.C.3 ✓	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add new paragraph addressing containment buildings that are required under 264.1102 to meet the requirements for landfills	109	264.110(b)(4)	3501.C.4 ✓	EQ			
CLOSURE PERFORMANCE STANDARD							
change ", and 264.601 through 264.603" to ", 264.601 through 264.603, and 264.1102"	109	264.111(c)	3507.C ✓	EQ			
CLOSURE PLAN; AMENDMENT OF PLAN							
replace "264.90 et seq." with "subpart F of this part"; change "and 264.601" to ", 264.601 and 264.1102"	109	264.112(a)(2)	3511.A.2 ✓	EQ			
SUBPART H - FINANCIAL REQUIREMENTS							
APPLICABILITY							
replace ", and" with ";	109	264.140(b)(1)	3701.B.1 ✓	EQ			
replace "." with ";	109	264.140(b)(2)	3701.B.2 ✓	EQ			
replace "." with ";	109	264.140(b)(3)	3701.B.3 ✓	EQ			
add new paragraph regarding containment buildings that are required under 264.1102 to meet the requirements for landfills	109	264.140(b)(4)	3701.B.4 ✓	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

COST ESTIMATE FOR CLOSURE

change ", and 264.601 through 264.603" to ", 264.601 through 264.603, and 264.1102"	109	264.142(a)	3705.A ✓	EQ			
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SUBPART K - SURFACE IMPOUNDMENTS

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

insert "the waste and impoundment satisfy all applicable requirements of 40 CFR Part 268, and" after "unless"	78	264.229	2913 ✓	EQ			
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SUBPART L - WASTE PILES

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

insert "the waste and waste pile satisfy all applicable requirements of 40 CFR Part 268, and" after "unless"	78	264.256	2311.A ✓	EQ			
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SUBPART M - LAND TREATMENT

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

insert "the waste and the treatment zone meet all applicable requirements of 40 CFR Part 268, and" after "unless"	78	264.281	2715 ✓	EQ			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
SUBPART N - LANDFILLS							
SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE							
replace "in treated, rendered, or mixed before or immediately after placement in a landfill so that:" with "and landfill meet all applicable requirements of Part 268, and:"	78	264.312(a)	2511.A ✓	EQ			
begin the first sentence with "Except for prohibited wastes which remain subject to treatment standards in Subpart D of Part 268,"	78	264.312(b)	2511.B. B.1-3 ✓	EQ			
DISPOSAL OF SMALL CONTAINERS OF HAZARDOUS WASTE IN OVERPACKED DRUMS (LAB PACKS)							
† add new paragraph regarding disposal in compliance with Part 268; requirement for fiber drums to meet DOT specifications and 264.316(b) requirements if incinerate lab packs	78	264.316(f)	2519.F ✓	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
1 4 SUBPART DD - CONTAINMENT BUILDINGS							
APPLICABILITY							
applies to owners/operators storing or treating hazardous waste in units designed and operated under 264.1101; effective February 18, 1993, but may notify Regional Administrator of earlier time; not subject to definition of land disposal in RCRA 3004(k) provided unit:	109	264.1100	1801	EQ			
is a completely enclosed, self-supporting structure designed and constructed as specified	109	264.1100(a)	1801.A.1	EQ			
has a primary barrier designed to withstand movement of personnel, wastes and handling equipment within unit	109	264.1100(b)	1801.A.2	EQ			
if used to manage liquids:	109	264.1100(c)	1803.A.3	EQ			
primary barrier designed and constructed to prevent migration of hazardous constituents into barrier	109	264.1100(c)(1)	1801.A.3.a	EQ			
liquid collection system to minimize accumulation of liquid on primary barrier	109	264.1100(c)(2)	1801.A.3.b	EQ			
secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified; variance under 264.1101(b)(4)	109	264.1100(c)(3)	1801.A.3.c	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
controls to prevent fugitive dust emissions to meet 264.1101(c)(1)(iv) standards	109	264.1100(d)	1801.A.4	EQ			
designed and operated to ensure containment and prevent tracking of materials from unit by personnel or equipment	109	264.1100(e)	1801.A.5	EQ			
DESIGN AND OPERATING STANDARDS							
all containment buildings must comply with following design standards:	109	264.1101(a)	1802.A	EQ			
completely enclosed as specified	109	264.1101(a)(1)	1802.A.1	EQ			
design and construction of floor, containment walls and secondary containment system; unit of sufficient structural strength to prevent collapse or failure; chemically compatible surfaces; standards for judging structural integrity requirements; when exception for light-weight doors and windows will apply:	109	264.1101(a)(2)	1802.A.2	EQ			
provide effective barrier against fugitive dust emissions under 264.1101(c)(1)(iv)	109	264.1101(a)(2)(i)	1802.A.2.a	EQ			
unit designed and operated so that wastes do not contact openings	109	264.1101(a)(2)(ii)	1802.A.2.b	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
no placement of incompatible wastes or treatment reagents that could cause unit or secondary containment system to leak, corrode or otherwise fail	109	264.1101(a)(3)	1802.A.3	EQ			
must have primary barrier designed to withstand movement of personnel, waste and handling equipment in unit during unit operating life, as appropriate for waste characteristics	109	264.1101(a)(4)	1802.A.4	EQ			
requirements for hazardous waste containing free liquids or treated with free liquids:	109	264.1101(b)	1802.B	EQ			
primary barrier to prevent migration of hazardous constituents into the barrier	109	264.1101(b)(1)	1802.B.1	EQ			
liquid collection and removal system to minimize accumulation of liquid on primary barrier:	109	264.1101(b)(2)	1802.B.2	EQ			
primary barrier sloped to drain liquids to collection system	109	264.1101(b)(2)(i)	1802.B.2.a	EQ			
liquids and waste collected and removed to minimize hydraulic head on containment system at earliest practicable time	109	264.1101(b)(2)(ii)	1802.B.2.b	EQ			
secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified	109	264.1101(b)(3)	1802.B.3	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
what must be installed at a minimum to satisfy leak detection component of secondary containment system	109	264.1101(b)(3)(i)	1802.B.3.a	EQ			
constructed with 1% or greater bottom slope	109	264.1101(b)(3)(i)(A)	1802.B.3.a.i	EQ			
granular, synthetic, or geonet drainage materials as specified	109	264.1101(b)(3)(i)(B)	1802.B.3.a.ii	EQ			
if treatment conducted in building, treatment area designed to prevent releases to other portions of building	109	264.1101(b)(3)(ii)	1802.B.3.b	EQ			
secondary containment construction materials specifications; requirements for use of containment building as tank secondary containment system	109	264.1101(b)(3)(iii)	1802.B.3.c	EQ			
for existing units other than 90-day generator units, Regional Administrator delay of secondary containment requirement if demonstrated that unit substantially meets Subpart DD standards; for demonstration, owner/operator must:	109	264.1101(b)(4)	1802.B.4	EQ			
1 provide written notice by 5 February 18, 1993; what notice must contain	109	264.1101(b)(4)(i)	1802.B.4.a	EQ			
respond to Regional Administrator comments within 30 days	109	264.1101(b)(4)(ii)	1802.B.4.b	EQ			
if approved, fulfill terms of revised plans	109	264.1101(b)(4)(iii)	1802.B.4.c	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
owners and operators of all containment buildings must:	109	264.1101(c)	1802.C	EQ			
use controls and practices to ensure containment of hazardous waste within unit; at a minimum:	109	264.1101(c)(1)	1802.C.1	EQ			
maintain primary barrier as specified	109	264.1101(c)(1)(i)	1802.C.1.a	EQ			
maintain level of stored/treated hazardous waste as specified	109	264.1101(c)(1)(ii)	1802.C.1.b	EQ			
take measures to prevent tracking of hazardous waste out of unit; equipment decontamination area; rinsate collection and management	109	264.1101(c)(1)(iii)	1802.C.1.c	EQ			
take measures to control fugitive dust emissions; maintain particulate collection devices as specified; when "no visible emissions" must be maintained	109	264.1101(c)(1)(iv)	1802.C.1.d	EQ			
certification by qualified registered professional engineer; for units in operation prior to February 18, 1993, certification placed in operating record or on-site files no later than 60 days after date of initial operation; after February 18, 1993, PE certification required prior to operation of unit	109	264.1101(c)(2)	1802.C.2	EQ			
prompt repairs of unit throughout active life as specified, according to the following procedures:	109	264.1101(c)(3)	1802.C.3	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)



FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
1 6 detection of condition that has led to a release; leakage from primary barrier; owner or operator must:	109	264.1101(c)(3)(i)	1802.C.3.a	EQ			
enter record of discovery in facility operating record	109	264.1101(c)(3)(i)(A)	1802.C.a.i	EQ			
immediately remove portion of containment building affected by the condition from service	109	264.1101(c)(3)(i)(B)	1802.C.3.a.ii	EQ			
determine steps to be taken for repair, remove leakage from secondary collection system and establish schedule for cleanup and repairs	109	264.1101(c)(3)(i)(C)	1802.C.3.a.iii	EQ			
within 7 days, notify Regional Administrator of condition; within 14 working days, provide written notice to Regional Administrator; what written notice must include	109	264.1101(c)(3)(i)(D)	1802.C.3.a.iv	EQ			
Regional Administrator must review notice, determine extent to which unit must be removed from service during repairs, and notify owner/operator of determination and rationale in writing	109	264.1101(c)(3)(ii)	1802.C.3.b	EQ			
written notification to Regional Administrator on completion of repair and cleanup; verification by a qualified, registered professional engineer that repairs and cleanup are in compliance with 264.1101(c)(3)(i)(D) plan	109	264.1101(c)(3)(iii)	1802.C.3.c	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)



FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
what must be inspected and recorded in facility's operating records, at least once every seven days	109	264.1101(c)(4)	1802.C.4	EQ			
for containment buildings that contain areas both with and without secondary containment, the owner/operator must:	109	264.1101(d)	1802.D	EQ			
design and operate each area in accordance with 264.1101(a)-(c) requirements	109	264.1101(d)(1)	1802.D.1	EQ			
take measures to prevent release of liquids or wet materials into areas without secondary containment	109	264.1101(d)(2)	1802.D.2	EQ			
maintain in facility's operating log a written description of operating procedures used to maintain integrity of areas without secondary containment	109	264.1101(d)(3)	1802.D.3	EQ			
Regional Administrator waiver of secondary containment requirements: what owner/operator must demonstrate	109	264.1101(e)	1802.E	EQ			
CLOSURE AND POST-CLOSURE CARE							
what must be done at closure; closure plan, closure activities, cost estimates, and financial responsibility must meet all 264 Subpart G & H requirements	109	264.1102(a)	1803.A	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)



FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if 264.1102(a) requirements met and not all contaminated subsoils can be removed or decontaminated, close facility and perform post-closure care as for landfill under 264.310; owner/operator must meet 264 Subpart G & H requirements for landfills	109	264.1102(b)	1803.B	EQ			
reserved	109	264.1103- 264.1110	¹⁴ N/A	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

change ending period to a comma and add a phrase regarding compliance with 265.17(b) if owner or operator is diluting hazardous ignitable wastes or reactive wastes to remove characteristic before land disposal	124.137	265.1(c)(10)	4301.E ✓	EQ			
1 add new paragraph regarding facilities to which Part 265 applies; Part 268 standards are material conditions of the 265 standards	34.78	265.1(e)	4301.E ✓	EQ			

SUBPART B - GENERAL FACILITY STANDARDS

GENERAL WASTE ANALYSIS

1 insert "Part 268"; add sentence regarding what information, at a minimum, the waste analysis must contain	34,102	265.13(a)(1)	4313.A ✓	EQ			
revise comment following subparagraph (a)(2) as follows: remove "or all" after "supply part"; add ", except as otherwise specified in 40 CFR 268.7(b) and (c)." to the second sentence	78	265.13(a)(2)	4313.B ✓	EQ			
insert "268.7"	34	265.13(b)(6)	4313.E.6 ✓	EQ			
add new paragraph and subparagraphs regarding exempt surface impoundment plan specifications	34	265.13(b)(7)	4313.E.7 ✓	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
sampling impoundment contents	34	265.13(b)(7)(i)	4313.E.7.a	EQ			
analysis procedures	34	265.13(b)(7)(ii)	4313.E.7.b	EQ			
annual removal of specific residues; criteria:	34,39,50	265.13(b)(7)(iii)	4313.E.7.c	EQ			
do not meet treatment standards of Part 268, Subpart D	50	265.13(b)(7)(iii) (A)	4313.E.7.c.i	EQ			
where no treatment standards have been established	50	265.13(b)(7)(iii) (B)	4313.E.7.c.ii	EQ			
prohibited disposal of residues under 268.32 or RCRA 3004(d)	50	265.13(b)(7)(iii) (B)(1)	4313.E.7.c.ii.(a)	EQ			
prohibited disposal of residues under 268.33(f)	50	265.13(b)(7)(iii) (B)(2)	4313.E.7.c.ii.(b)	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

OPERATING RECORD

add "268.4(a)" and "268.7"	34	265.73(b)(3)	4357.B.5 ✓	EQ			
add new paragraph; records for each shipment placed in units under a 268.5 extension, a 268.6 petition, or a 268.8 certification; 268.7(a) generation notice	34,50	265.73(b)(8)	4357.B.10	EQ			✓
add new paragraph; off-site treatment facility requirements	34,50	265.73(b)(9)	4357.B.11	EQ			
add new paragraph; on-site treatment facility requirements	34,50	265.73(b)(10)	4357.B.12	EQ			
add new paragraph; off-site land disposal facility requirements	34,50	265.73(b)(11)	4357.B.13	EQ			
add new paragraph; on-site land disposal facility requirements	34,50	265.73(b)(12)	4357.B.14	EQ			
add new paragraph; off-site storage facility requirements	50	265.73(b)(13)	4357.B.15	EQ			
add new paragraph; on-site storage facility requirements	50	265.73(b)(14)	4357.B.16	EQ			

SUBPART G - CLOSURE AND POST-CLOSURE

APPLICABILITY

remove "and" from end of paragraph	109	265.110(b)(1)	4377.B.1	EQ			
remove "and" from end of paragraph	109	265.110(b)(2)	4377.B.2	EQ			
replace "." with "; and"	109	265.110(b)(3)	4377.B.3	EQ			

**CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
add new paragraph addressing containment buildings that are required under 265.1102 to meet the requirements for landfills	109	265.110(b)(4)	4377.B.4 ✓	EQ			

CLOSURE PERFORMANCE STANDARD

change "and 265.404" to ", 265.404, and 264.1102"	109	265.111(c)	4379.C ✓	EQ			
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CLOSURE PLAN; AMENDMENT OF PLAN

1 replace "§§ 265.90 et seq." with 7 "subpart F of this part, §§"; change ", and 265.404" to ", 265.404, and 264.1102"	109	265.112(d)(4)	4381.D.4 ✓	EQ			
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SUBPART H - FINANCIAL REQUIREMENTS

APPLICABILITY

in 265.140(b) insert ":" after "of"; reorganize rest of paragraph after "apply to" into 265.140(b)(1) [disposal facilities] and 265.140(b)(2) [tank systems]; add 265.140(b)(3) addressing containment buildings	109	265.140(b)	4397.B ✓	EQ			
		265.140(b)(1)	4397.B.1 ✓	EQ			
		265.140(b)(2)	4397.B.2 ✓	EQ			
		265.140(b)(3)	4397.B.3 ✓	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

COST ESTIMATE FOR CLOSURE

replace "of §§ 265.178" with "in §§ 265.178"; change "and 265.404" to ", 265.404 and 265.1102"	109	265.142(a)	4401.A ✓	EQ			
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SUBPART K - SURFACE IMPOUNDMENTS

DESIGN AND OPERATING REQUIREMENTS

add new paragraph regarding surface impoundments newly subject to RCRA §3005(j)(1) must be in compliance with 265.221(a),(c)&(d) no later than 48 months after additional characteristic or listing promulgation; Part 268 land disposal prohibitions or an extension to an effective date, within the 48-month period, shall not cut short compliance period	109	265.221(h)	4462.H ✓	EQ			
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SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

insert "the waste and impoundment satisfy all applicable requirements of 40 CFR Part 268, and" after "unless"	78	265.229	4459 ✓	EQ			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART L - WASTE PILES

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

insert "the waste and pile satisfy all applicable requirements of 40 CFR Part 268, and" after "unless"	78	265.256	4471 ✓	EQ			
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SUBPART M - LAND TREATMENT

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

insert "the waste and treatment zone meet all applicable requirements of 40 CFR Part 268, and" after "unless"	78	265.281	4491/2715 ✓	EQ			
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SUBPART N - LANDFILLS

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

replace "is treated, rendered, or mixed before or immediately after placement in a landfill so that:" with "and landfill meets all applicable requirements of 40 CFR Part 268, and:"	78	265.312(a)	4503.A ✓	EQ			
begin the first sentence with "Except for prohibited wastes which remain subject to treatment standards in Subpart D of Part 268,"	78	265.312(b)	4503.B ✓	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

DISPOSAL OF SMALL CONTAINERS OF HAZARDOUS WASTE IN OVERPACKED DRUMS (LAB PACKS)

† add new paragraph regarding disposal in compliance with Part 268; requirement for fiber drums to meet DOT specifications and 265.316(b) requirements if incinerate lab packs	78	265.316(f)	4511.F ✓	EQ			
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SUBPART DD - CONTAINMENT BUILDINGS

APPLICABILITY

applies to owners/operators storing or treating hazardous waste in units designed and operated under 265.1101; effective February 18, 1993, but may notify Regional Administrator of earlier time; not subject to definition of land disposal in RCRA 3004(k) provided unit:	109	265.1100	4701.A	EQ			✓
is a completely enclosed, self supporting structure designed and constructed as specified	109	265.1100(a)	4701.A.1	EQ			
has a primary barrier designed to withstand movement of personnel, wastes and handling equipment within unit	109	265.1100(b)	4701.A.2	EQ			
if used to manage liquids:	109	265.1100(c)	4701.A.3	EQ			
primary barrier designed and constructed to prevent migration of hazardous constituents into barrier	109	265.1100(c)(1)	4701.A.3.a	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
liquid collection system to minimize accumulation of liquid on primary barrier	109	265.1100(c)(2)	4701.A.3.b	EQ			
secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified; variance under 265.1101(b)(4)	109	265.1100(c)(3)	4701.A.3.c	EQ			
1 controls to prevent fugitive dust 8 emissions	109	265.1100(d)	4701.A.4	EQ			
designed and operated to ensure containment and prevent tracking of materials from unit by personnel or equipment	109	265.1100(e)	4701.A.5	EQ			

DESIGN AND OPERATING STANDARDS

all containment buildings must comply with following design standards:	109	265.1101(a)	4703.A	EQ			
completely enclosed as specified	109	265.1101(a)(1)	4703.A.1	EQ			
design and construction of floor, containment walls and secondary containment system; unit of sufficient structural strength to prevent collapse or failure; chemically compatible surfaces; standards for judging structural integrity requirements; when exception for light-weight doors and windows will apply:	109	265.1101(a)(2)	4703.A.2	EQ			
provide effective barrier against fugitive dust emissions under 265.1101(c)(1)(iv)	109	265.1101(a)(2)(i)	4703.A.2.a	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
unit designed and operated so that wastes do not contact openings	109	265.1101(a)(2)(ii)	4703.A.2.b	EQ			
no placement of incompatible wastes or treatment reagents that could cause unit or secondary containment system to leak, corrode or otherwise fail	109	265.1101(a)(3)	4703.A.3	EQ			
must have primary barrier designed to withstand movement of personnel, waste and handling equipment in unit during unit operating life, as appropriate for waste characteristics	109	265.1101(a)(4)	4703.A.4	EQ			✓
requirements for hazardous waste containing free liquids or treated with free liquids:	109	265.1101(b)	4703.B	EQ			
primary barrier to prevent migration of hazardous constituents into the barrier	109	265.1101(b)(1)	4703.B.1	EQ			
liquid collection and removal system to prevent accumulation of liquid on primary barrier:	109	265.1101(b)(2)	4703.B.2	EQ			
primary barrier sloped to drain liquids to collection system	109	265.1101(b)(2)(i)	4703.B.2.a	EQ			
liquids and waste collected and removed to minimize hydraulic head on containment system at earliest practicable time to protect human health and environment	109	265.1101(b)(2)(ii)	4703.B.2.b	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS.			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified	109	265.1101(b)(3)	4703.B.3	EQ			
what must be installed at a minimum to satisfy leak detection component of secondary containment system	109	265.1101(b)(3)(i)	4703.B.3.a	EQ			
construct with 1% or greater bottom slope	109	265.1101(b)(3)(i)(A)	4703.B.3.a.i	EQ			
granular, synthetic, or geonet drainage materials as specified	109	265.1101(b)(3)(i)(B)	4703.B.3.a.ii	EQ			
if treatment conducted in building, treatment area designed to prevent releases to other portions of building	109	265.1101(b)(3)(ii)	4703.B.3.b	EQ			
secondary containment construction materials specifications; requirements for use of containment building as tank secondary containment system	109	265.1101(b)(3)(iii)	4703.B.3.c	EQ			
for existing units other than 90-day generator units, Regional Administrator delay of secondary containment requirement if demonstrated that unit substantially meets Subpart DD standards; for demonstration, owner/operator must:	109	265.1101(b)(4)	4703.B.4	EQ			
provide written notice by February 18, 1993; what notice must contain	109	265.1101(b)(4)(i)	4703.B.4.a	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
respond to Regional Administrator comments within 30 days	109	265.1101(b)(4)(ii)	4703.B.4.b	EQ			
if approved, fulfill terms of revised plans	109	265.1101(b)(4)(iii)	4703.B.4.c	EQ			
owners and operators of all containment buildings must:	109	265.1101(c)	4703.C	EQ			
use controls and practices to ensure containment of hazardous waste within unit; at a minimum:	109	265.1101(c)(1)	4703.C.1	EQ			
maintain primary barrier as specified	109	265.1101(c)(1)(i)	4703.C.1.a	EQ			
maintain level of stored/treated hazardous waste as specified	109	265.1101(c)(1)(ii)	4703.C.1.b	EQ			
take measures to prevent tracking of hazardous waste out of unit; equipment decontamination area; rinsate collection and management	109	265.1101(c)(1)(iii)	4703.C.1.c	EQ			
take measures to control fugitive dust emissions; maintain particulate collection devices as specified; when "no visible emissions" must be maintained	109	265.1101(c)(1)(iv)	4703.C.1.d	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
certification by qualified registered professional engineer; for units in operation prior to February 18, 1993, certification placed in operating record or on-site files no later than 60 days after date of initial operation; after February 18, 1993, PE certification required prior to operation of unit	109	265.1101(c)(2)	4703.C.2	EQ			
prompt repairs of unit throughout active life, according to the following procedures:	109	265.1101(c)(3)	4703.C.3	EQ			
detection of condition that has led to a release; leakage from primary barrier; owner or operator must:	109	265.1101(c)(3)(i)	4703.C.3.a	EQ			
enter record of discovery in facility operating record	109	265.1101(c)(3)(i)(A)	4703.C.3.a.i	EQ			
immediately remove portion of containment building affected by the condition from service	109	265.1101(c)(3)(i)(B)	4703.C.3.a.ii	EQ			
determine steps to be taken for repair; remove leakage from secondary collection system and establish schedule for cleanup and repairs	109	265.1101(c)(3)(i)(C)	4703.C.3.a.iii	EQ			
within 7 days, notify Regional Administrator of condition; within 14 working days, provide written notice to Regional Administrator; what written notice must include	109	265.1101(c)(3)(i)(D)	4703.C.3.a.iv	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Regional Administrator must review notice, determine extent to which unit must be removed from service during repairs, and notify owner/operator of determination and rationale in writing	109	265.1101(c)(3)(ii)	4703.C.3.b	EQ			
written notification of Regional Administrator on completion of repair and cleanup; verification by a qualified, registered professional engineer that repairs and cleanup are in compliance with 265.1101(c)(3)(i)(D) plan	109	265.1101(c)(3)(iii)	4703.C.3.c	EQ			
what must be inspected and recorded in facility's operating records, at least once every seven days	109	265.1101(c)(4)	4703.C.4	EQ			
for containment building that contains both areas with and without secondary containment, the owner/operator must:	109	265.1101(d)	4703.D	EQ			
design and operate each area in accordance with 265.1101(a)-(c) requirements	109	265.1101(d)(1)	4703.D.1	EQ			
take measures to prevent release of liquids or wet materials into areas without secondary containment	109	265.1101(d)(2)	4703.D.2	EQ			
maintain in facility's operating log a written description of operating procedures used to maintain integrity of areas without secondary containment	109	265.1101(d)(3)	4703.D.3	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Regional Administrator waiver of secondary containment requirements; what owner/operator must demonstrate	109	265.1101(e)	4703.E ✓	EQ			
CLOSURE AND POST-CLOSURE CARE							
what must be done at closure; closure plan, closure activities, cost estimates, and financial responsibility must meet all 265 Subparts G & H requirements	109	265.1102(a)	4705.A ✓	EQ			
if 265.1102(a) requirements met and not all contaminated soils can be removed or decontaminated, close facility and perform post-closure care as for landfill under 265.310; owner/operator must meet 265 Subparts G & H requirements for landfills	109	265.1102(b)	4705.B ✓	EQ			
reserved	109	265.1103- 265.1110	¹⁴ N/A	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PART 266 - STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES							
SUBPART C - RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL							

APPLICABILITY

add language to reflect that products for general public's use are not subject to regulation if they meet treatment requirements of 268 Subpart D or prohibition levels of 268.32 or RCRA 3004(d) where no treatment standards; delete the word "constituent" from the parenthetical phrase following "recyclable material"; add sentence exempting from regulation commercial fertilizers produced for the general public's use that contain recyclable materials; zinc-containing fertilizers using K061 not subject to this requirement	50,66	266.20(b)	4139.A.2 ✓	EQ			
add new paragraph; uses of slags from HTMR processing of hazardous wastes K061, K062 and F006 not covered by 266.20(b)	136	266.20(c)	4139.A.5 <i>done!</i>	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
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STANDARDS APPLICABLE TO USERS OF MATERIALS THAT ARE USED IN A MANNER THAT CONSTITUTES DISPOSAL

1 9	replace "Subparts A through N of parts 264 and 265 and Parts 270 and 124" with "subparts A through N of parts 264 and 265 and parts 268, 270 and 124"	137	266.23(a)	4139.B.3 ✓	EQ			
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SUBPART H - HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES

APPLICABILITY

	insert "or mercury recovery furnace," after "recovery furnace"	137	266.100(c)(1)	3001.C.1 ✓	EQ			
	insert "or mercury" after "nickel-chromium"; insert "(c)(3)" at the end of paragraph	137	266.100(c)(3)	3001.C.3 ✓	EQ			
	replace "and XII" with ", XII, and XIII"	137	266.100(c)(3)(i)	3001.C.3.a ✓	EQ			
2 0	insert "of this part" after "appendix XI"; insert "of this part" after "appendix XII"; after "nickel or chromium" insert "a waste listed in appendix XIII of this part must contain recoverable levels of mercury and contain less than 500 ppm of 40 CFR part 261, appendix VIII organic constituents,"	137	266.100(c)(3)(i) (A)	3001.C.3.a.i ✓	EQ			
	replace "or XII" with "XII, or XIII"	137	266.100(c)(3)(ii)	3001.C.3.b ✓	EQ			

APPENDIX XIII TO PART 266

MERCURY BEARING WASTES THAT MAY BE PROCESSED IN EXEMPT MERCURY RECOVERY UNITS

	add a new appendix addressing certain mercury-bearing wastes	137	266/Appendix XIII	Chapter 30, Appendix M ✓	EQ			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PART 268 - LAND DISPOSAL RESTRICTIONS							
SUBPART A - GENERAL							
PURPOSE, SCOPE AND APPLICABILITY							
purpose	34	268.1(a)	2201.C ✓	EQ			
applicability	34	268.1(b)	2201.D ✓	EQ			
conditions for continued land disposal:	34,66	268.1(c)	2201.G ✓	EQ			
1 persons with an extension	34	268.1(c)(1)	2201.G.1 ✓	EQ			
1 persons with an exemption	34	268.1(c)(2)	2201.G.2 ✓	EQ			
2 wastes that are hazardous only because they exhibit a hazardous characteristic, and which are otherwise prohibited under parts 268 or 148, are not prohibited if the wastes:	34,39,50,66,78,151	268.1(c)(3)	2201.G.4 ✓	EQ			
2 disposed into a nonhazardous or hazardous injection well as defined in 40 CFR 144.6(a), and	78,151	268.1(c)(3)(i)	2201.G.4.a ✓	EQ			
do not exhibit any prohibited characteristic of hazardous waste identified in part 261, subpart C at the point of injection	78,137,151	268.1(c)(3)(ii)	³ 2201.G.4.b ✓				MS

³ LDEQ has chosen to include 'at the well head' making the citation more specific and therefore more stringent. This was done to clarify the point of injection.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
2 1 , 2 3 remove	137, 151	268.1(c)(3)(iii)	¹⁴ N/A	EQ			
2 4 with exceptions, wastes that are hazardous only because they exhibit a hazardous characteristic are not prohibited from land disposal if they meet any of the listed criteria	34,39, 50,66, 151	268.1(c)(4)	2201.G.5 ✓	EQ			
		268.1(c)(4)(i)	2201.G.5.a ✓	EQ			
		268.1(c)(4)(ii)	2201.G.5.b ✓	EQ			
		268.1(c)(4)(iii)	2201.G.5.c ✓	EQ			
	151	268.1(c)(4)(iv)	2201.G.5.d ✓	EQ			
2 5 remove	39,48, 50,78	268.1(c)(5)	¹⁴ N/A	EQ			
preserve waiver availability under 121(d)(4) of CERCLA	50	268.1(d)	2201.H ✓	EQ			
wastes which are not subject to any provisions of Part 268:	66	268.1(e)	2201.I ✓	EQ			
wastes generated by generators of less than 100 kg of hazardous waste or less than 1 kg of acute hazardous waste, as defined in 261.5	66	268.1(e)(1)	² Chapter 39 ✓			MS	
waste pesticides that a farmer disposes pursuant to 262.70	66	268.1(e)(2)	2201.I.1 ✓	EQ			
2 6 wastes identified or listed as hazardous after November 8, 1984 for which EPA has not promulgated land disposal prohibitions or treatment standards	66,151	268.1(e)(3)	2201.I.2 ✓	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
2 <i>de minimis</i> losses to wastewater 6 treatment systems of , commercial chemical product or 2 chemical intermediates that are 7 ignitable, corrosive, or are organic constituents that exhibit the characteristic of toxicity and that contain underlying hazardous constituents as defined in 268.2(i), are not considered to be prohibited wastes; <i>de minimis</i> defined	124,137,1 51	268.1(e)(4)	2201.I.3 ✓	EQ			
2 land disposal prohibitions for 8 hazardous characteristic wastes do not apply to laboratory wastes displaying the characteristic of ignitability, corrosivity, or organic toxicity, that are mixed with other plant wastewaters at facilities whose ultimate discharge is subject to regulation under the CWA, provided the annualized flow of laboratory wastewater into facility's headworks does not exceed 1%, or provided that the laboratory wastes' combined annualized average concentration does not exceed one part per million in the facility's headworks	124,137,1 51	268.1(e)(5)	¹⁴ 2201.I.4 ✓	EQ			
† universal waste handlers and 2 transporters are exempt from 9 268.7 and 268.50 for the listed universal wastes; these handlers are subject to Part 273 instead	142A	268.1(f) intro	2201.I.5 ✓	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† 2 handlers of batteries as 9 described in 273.2 are exempt	142B	268.1(f)(1)	2201.I.5.a ✓	EQ			
† 2 handlers of pesticides as 9 described in 273.3 are exempt	142C	268.1(f)(2)	2201.I.5.b ✓	EQ			
† 2 handlers of thermostats as 9 described in 273.4 are exempt	142D	268.1(f)(3)	2201.I.5.c ✓	EQ			
3 0 DEFINITIONS APPLICABLE TO THIS PART							
introductory paragraph regarding definitions	78	268.2	2203.A ✓	EQ			
"halogenated organic compounds" or "HOCs"	39,78	268.2(a)	2203.A.Halogenated Organic Compounds or HOCs ✓	EQ			
3 1 "hazardous constituent or 1 constituents"	34,78	268.2(b)	2203.A.Hazardous Constituent ✓	EQ			
3 1 , 3 2 "land disposal"	34,39,78	268.2(c)	2203.A.Land Disposal ✓	EQ			
"nonwastewaters"	78,83	268.2(d)	2203.A.Nonwastew aters ✓	EQ			
3 3 "polychlorinated biphenyls" or "PCBs"	39,78	268.2(e)	2203.A.Polychlorin ated Biphenyls or ✓ PCBs	EQ			
"wastewaters"	78,151	268.2(f)	2203.A.Wastewater s ✓	EQ			
3 4 remove	78,83, 151	268.2(f)(1)	¹⁴ N/A	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADE R IN SCOPE
3 4 remove	78,83, 151	268.2(f)(2)	14 N/A	EQ			
3 5 remove	78,151	268.2(f)(3)	14 N/A	EQ			
"debris"	78, 83,109, 137	268.2(g)	2203.A.Debris ✓	EQ			
3 6 remove	78,83,109	268.2(g)(1)-(8)	14 N/A	EQ			
"hazardous debris"	109	268.2(h)	2203.A.Hazardous Debris ✓	EQ			
3 7 "underlying hazardous constituent"	124,137, 151	268.2(i)	2203.A. Underlying Hazardous Constituent ✓	EQ			
"inorganic metal-bearing waste"	151	268.2(j)	2203.A.Inorganic Metal Bearing Waste ✓	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
DILUTION PROHIBITED AS A SUBSTITUTE FOR TREATMENT							
2 except as provided in 268.3(b), 6 dilution not substitute for , treatment; restriction regarding 3 circumvention of effective dates 9 and avoidance of prohibition of Subpart C or RCRA 3004	9/20/98 34,39,78, 151	268.3(a)	2207.A ✓	EQ			
4 permissible forms of dilution 0 related to Sections 307 or 402 of the CWA; unless method other than DEACT is specified in 268.40 or waste is D003 reactive cyanide wastewater or nonwastewater	9/20/98 78,102, 151	268.3(b)	2207.B ✓	EQ			
4 1 combustion of hazardous waste codes listed in part 268 Appendix XI is prohibited unless the waste complies with one or more criteria of 268.3(c)(1)-(6)	4/20/98	268.3(c)	2207.C	EQ			
		268.3(c)(1)	2207.C.1	EQ			
		268.3(c)(2)	2207.C.2	EQ			
		268.3(c)(3)	2207.C.3 ✓	EQ			
		268.3(c)(4)	2207.C.4	EQ			
		268.3(c)(5)	2207.C.5	EQ			
	151	268.3(c)(6)	2207.C.6	EQ			
† TREATMENT SURFACE IMPOUNDMENT EXEMPTION							
when prohibited wastes may be treated in a surface impoundment	34 ✓ 11/20/96	268.4(a)	2237.A	EQ			
treatment occurs in impoundments	34	268.4(a)(1)	2237.A.1	EQ			
soft hammer wastes in treatment surface impoundments that meet a list of conditions:	34,39,50	268.4(a)(2)	2237.A.2	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
sampling and testing requirements for wastes with and without treatment standards; supernatant and sludge samples tested separately	50	268.4(a)(2)(i)	2237.A.2.a	EQ			
annual removal of specific residues; residues subject to valid certification; flow-through standard of removal for supernatant	50	268.4(a)(2)(ii)	2237.A.2.b.i, 2237.A.2.b.i.(a)-(d), 2237.A.2.b.ii-iii	EQ			
requirements for subsequent management of treatment residues in another impoundment; prohibited unless certification under 268.8 and standards of 268.8(a) are met	50	268.4(a)(2)(iii)	2237.A.2.c	EQ			
recordkeeping requirements must be specified in the facility's waste analysis plan	50	268.4(a)(2)(iv)	2237.A.2.d	EQ			
1 design requirements/exemptions	34	268.4(a)(3)	2237.A.3	EQ			
1 exempt under 264.221(d) or (e) or 265.221(c) or (d)	34	268.4(a)(3)(i)	2237.A.3.a	EQ			
1 conditions under which Administrator grants waiver of requirements; meets RCRA §3005(j)(2)	34	268.4(a)(3)(ii)	2237.A.3.b	EQ			
		268.4(a)(3)(ii)(A)	⁴ 2237.A.3.b.i			MS	
		268.4(a)(3)(ii)(B)	2237.A.3.b.ii	EQ			
		268.4(a)(3)(ii)(C)	2237.A.3.b.iii	EQ			

⁴DEQ additionally requires one compacted clay or other department approved liner in addition to the federal requirements.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
modification granted on basis of a demonstration of no migration into groundwater or surface water at any future time; satisfies RCRA §3005(j)(11) no migration	34 <i>1/22/96</i>	268.4(a)(3)(iii)	2237.A.3.c	EQ			
submittal of written certification and waste analysis plan	34 <i>9/20/98</i>	268.4(a)(4)	⁵ 2237.A.4	EQ			
evaporation of hazardous constituents not considered treatment for exemption purposes	39 <i>1/22/96</i>	268.4(b)	2237.B	EQ			

 Guidance note: 268.5 is **NOT DELEGABLE**. States should see Note 4 at the beginning of this checklist regarding how to incorporate this section into their code.

PROCEDURES FOR CASE-BY-CASE EXTENSIONS TO AN EFFECTIVE DATE

application to EPA Administrator for an extension to effective date of any Part 268, Subpart C restriction; what the applicant must demonstrate:	34	268.5(a)	2239.A	EQ			
good-faith effort to locate and contract with treatment, recovery, or disposal facilities nationwide to manage waste according to Subpart C effective date	34	268.5(a)(1)	⁶ 2239.A.1			MS	

⁵Comment rescinded.

⁶The State of Louisiana specifically requires written evidence of a good faith effort to manage waste.

**CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
binding contractual commitment to construct or provide alternate treatment, recovery (e.g., recycling), or disposal capacity that meets Subpart D treatment standards; requirements when no treatment standards	34.39	268.5(a)(2)	62239.A.2			MS	
demonstration that alternative capacity cannot reasonably be available by effective date due to circumstances beyond applicant's control; how this must be demonstrated	34	268.5(a)(3)	62239.A.3			MS	
capacity being constructed or provided by applicant must be sufficient to manage entire quantity of waste	34	268.5(a)(4)	62239.A.4			MS	
detailed schedule for obtaining required permits or outline of how and when alternate capacity will be available	34	268.5(a)(5)	2239.A.5	EQ			
arranged for adequate capacity during extension and documented in all site locations where wastes will be managed	34	268.5(a)(6)	2239.A.6	EQ			
surface impoundment or landfill used must meet 268.5(h)(2) requirements	34	268.5(a)(7)	2239.A.7	EQ			
certification by authorized representative signing an application	34	268.5(b)	2239.B	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Administrator may request additional information	34	268.5(c)	⁷ 2239.C			MS	
extension applies only to waste generated at individual facility covered by extension	34	268.5(d)	2239.E	EQ			
Administrator may grant extension of up to 1 year from effective date; extension for 1 additional year if 268.5(a) demonstration can still be made; no extension beyond 24 months from 268, Subpart C effective date; length of extension determined by Administrator and basis; public notice and comment; final decision published in <u>Federal Register</u>	34	268.5(e)	2239.F	EQ			
notify Administrator of change in certified conditions	34	268.5(f)	2239.G	EQ			
written progress reports at intervals designated by Administrator; what progress reports must include; conditions for revocation of extension by Administrator	34	268.5(g)	⁸ 2239.H			MS	
during period established by Administrator for which extension is in effect:	34	268.5(h)	2239.I	EQ			

⁷The state citation is more stringent because it additionally specifies that, "failure to segregate waste streams shall not constitute justification for a case-by-case extension for those wastes which are separable and treatable."

⁸The state citation has a specific time interval whereas the federal citation has a discretionary period.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
268.5(a) storage restrictions do not apply	34,39	268.5(h)(1)	2239.I.1	EQ			
conditions for disposal in landfill or surface impoundment regardless of whether unit is existing, new, replacement or lateral extension	34,50,66	268.5(h)(2)	2239.I.2	EQ			
interim status landfill requirements	34	268.5(h)(2)(i)	2239.I.2.a	EQ			
permitted landfill requirements	34,109	268.5(h)(2)(ii)	2239.I.2.b	EQ			
interim status surface impoundment requirements	34,39	268.5(h)(2)(iii)	2230.I.2.c	EQ			
permitted surface impoundment requirements	34,109	268.5(h)(2)(iv)	2239.I.2.d	EQ			
surface impoundments newly subject to RCRA 3006(j); compliance with 265 Subpart F within 12 months and with 265.221(a), (c), and (d) within 48 months; effect of a national capacity variance	109	268.5(h)(2)(v)	2239.I.2.e	EQ			
4 requirements for landfills 2 disposing of specified PCB waste	39,109	268.5(h)(2)(vi)	2239.I.2.f	EQ			
pending decision on application, compliance with all legal disposal restrictions once effective date has been reached	34	268.5(i)	2239.J	EQ			

Guidance note: 268.6 is NOT DELEGABLE. States should see Note 4 at the beginning of this checklist regarding how to incorporate this section into their code.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PETITIONS TO ALLOW LAND DISPOSAL OF A WASTE PROHIBITED UNDER SUBPART C OF PART 268							
submit petition to Administrator; demonstration of no waste migration; demonstration components	34	268.6(a)	⁹ 2241.A			MS	
identify specific unit and waste	34	268.6(a)(1)	2241.D.1	EQ			
waste analysis	34	268.6(a)(2)	2241.D.2	EQ			
comprehensive disposal unit characterization	34	268.6(a)(3)	2241.D.3	EQ			
monitoring plan detecting migration at the earliest time	50	268.6(a)(4)	2241.D.4	EQ			
sufficient information to assure Administrator that owner/operator is in compliance with other applicable Federal, State and local laws	50	268.6(a)(5)	2241.D.5	EQ			
demonstration criteria:	34	268.6(b)	2241.E	EQ			
data must be accurate and reproducible	34	268.6(b)(1)	2241.E.1	EQ			
Administrator approved sampling, testing and estimation techniques	34	268.6(b)(2)	2241.E.2	EQ			
model calibration; models verified with actual data	34	268.6(b)(3)	2241.E.3	EQ			
quality assurance/control plan approved by Administrator	34	268.6(b)(4)	2241.E.4	EQ			
uncertainty analysis	34	268.6(b)(5)	2241.E.5	EQ			

⁹Louisiana is more stringent because there is no exemption granted to the generator for land disposal of waste streams.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS.			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
4 what each petition must 3 include:	50	268.6(c)	2241.F	EQ			
monitoring plan including description of monitoring program to verify continued compliance with variance; information which must be included	50	268.6(c)(1)	2241.F.1	EQ			
media monitored	50	268.6(c)(1)(i)	2241.F.1.a	EQ			
type of monitoring	50	268.6(c)(1)(ii)	2241.F.1.b	EQ			
monitoring station location	50	268.6(c)(1)(iii)	2241.F.1.c	EQ			
monitoring interval	50	268.6(c)(1)(iv)	2241.F.1.d	EQ			
specific hazardous constituents to be monitored	50	268.6(c)(1)(v)	2241.F.1.e	EQ			
monitoring program implementation schedule	50	268.6(c)(1)(vi)	2241.F.1.f	EQ			
monitoring station equipment	50	268.6(c)(1)(vii)	2241.F.1.g	EQ			
sampling and analytical techniques employed	50	268.6(c)(1)(viii)	2241.F.1.h	EQ			
data recording/reporting procedures	50	268.6(c)(1)(ix)	2241.F.1.i	EQ			
268.6(c)(1) monitoring program must be in place by Administrator-specified time period, as part of approval of the petition, prior to prohibited waste receipt at unit	50	268.6(c)(2)	2241.F.2	EQ			
268.6(c)(1) monitoring data sent to Administrator according to monitoring plan must be according to approved format and schedule	50	268.6(c)(3)	2241.F.3	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
monitoring data as per 268.6(c)(1) monitoring plan must be kept in on-site operating record	50	268.6(c)(4)	2241.F.4	EQ			
criteria the 268.6(c)(1) monitoring program must meet:	50	268.6(c)(5)	2241.F.5	EQ			
Administrator approval for all sampling, testing, and analytical data; data accurate and reproducible	50	268.6(c)(5)(i)	2241.F.5.a	EQ			
Administrator approval of all estimation and monitoring techniques	50	268.6(c)(5)(ii)	2241.F.5.b	EQ			
QA/QC plan for all aspects of monitoring program provided to and approved by Administrator	50	268.6(c)(5)(iii)	2241.F.5.c	EQ			
4 petition submitted to 4 Administrator	34,50	268.6(d)	2241.G	EQ			
4 reporting of changes at unit 5 and/or surrounding environment that significantly depart from variances and affect migration potential	50	268.6(e)	2241.H	EQ			
changes to unit design, construction or operation proposed in writing and a demonstration to Administrator 30 days prior to change; Administrator makes determination if petition is invalidated and determines appropriate response; Administrator approval before changes can be made	50	268.6(e)(1)	2241.H.1	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
within 10 days of discovering change, written notification to Administrator if condition is not as predicted or modeled in petition: Administrator decides if change requires further action	50	268.6(e)(2)	2241.H.2	EQ			
4 owner/operator responsibilities 6 if hazardous waste migration:	50	268.6(f)	2241.I	EQ			
immediate suspension of prohibited waste receipt	50,66	268.6(f)(1)	2241.I	EQ			
within 10 days written notification to Administrator	50	268.6(f)(2)	¹⁰ 2241.I			MS	
Administrator decision within 60 days as to continued receipt of prohibited waste; Administrator determines if further examination of any migration warranted	50	268.6(f)(3)	¹⁰ 2241.I			MS	
4 7 signed statement	34,50	268.6(g)	2241.J	EQ			
4 Administrator may request 7 additional information	34,50	268.6(h)	2241.K	EQ			
4 waste unit to which petition 7 applies	34,50	268.6(i)	2241.L	EQ			
4 Administrator gives public 7 notice in <u>Federal Register</u> ; final decision in <u>Federal Register</u>	34,50	268.6(j)	2241.M	EQ			

¹⁰The State citation 2241.I, pertaining only to the notification section, is more stringent because it requires a 24 hour notice to the administrative authority once determined that the hazardous constituents have migrated from the unit.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
4 7 term of petition	34,50	268.6(k)	¹¹ 2241.N			MS	
4 requirements prior to 7 Administrator's decision	34,50	268.6(l)	¹² 2241.O			MS	
4 petition granted by 7 Administrator does not relieve responsibilities under RCRA	34,50	268.6(m)	2241.P	EQ			
4 noneligibility of certain liquid 8 PCB wastes for "no migration" petitions under 268.6	39,50	268.6(n)	¹³ 2241.Q			MS	

¹¹The State term of a petition granted is no longer than what is specified under the final operating permit or up to 5 years from the date of approval if the unit is operating under interim status. EPA allows for 10 years from the above said date. The State requires exemption to be reviewed at least once every 3 years.

¹²The State requires more conditions.

¹³The State sets our limit at 50 ppm, EPA's limit is 500 ppm.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
WASTE ANALYSIS AND RECORDKEEPING							
1 generator determines whether 1 listed waste is a restricted , waste; 268.32 exception; if 4 characteristic is exhibited, he 9 must test the extract using , method 1311 (TCLP) or use 5 knowledge of waste to 0 determine whether restricted from land disposal; what the generator must do if he determines that his waste exhibits characteristic of ignitability, and/or corrosivity, reactivity, and/or organic toxicity and prohibited under 268.37, 268.38, and 268.39	34,39, 50,83, 124,126, 137,151	268.7(a)	2245.A <i>9/20/98</i>	EQ			
7 f generator is managing restricted waste that does not meet applicable treatment standards, he must notify treatment or storage facility in writing; the notice must include the following information	34,39,50, 137	268.7(a)(1)	2245.B	EQ			
5 1 EPA Hazardous Waste Number	34	268.7(a)(1)(i)	2245.B.1	EQ			
3 waste constituents to be 7 monitored; whether waste is , nonwastewater or wastewater; 5 waste subcategory	34,39, 78,83, 124,137, 151	268.7(a)(1)(ii)	2245.B.2	EQ			
5 1 manifest number	34,109	268.7(a)(1)(iii)	2245.B.3	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
3 7 5 4 contaminants subject to treatment in hazardous debris; , statement of alternative treatment standards	109,137, 151	268.7(a)(1)(iv)	2245.B.5	EQ			
3 7 5 4 waste analysis data	34,109, 137,151	268.7(a)(1)(v)	2245.B.4	EQ			
5 5 remove	137,151	268.7(a)(1)(vi)	¹⁴ N/A	EQ			
1 1 5 if managing restricted waste that can be land disposed , without further treatment, notice and certification to treatment, storage, or land disposal facility; generators of hazardous debris that is excluded from the definition of hazardous waste under 261.3(e)(2) not subject to notice and certification	34,39, 50,109	268.7(a)(2)	2245.C	EQ			
5 1		268.7(a)(2)(i)	2245.C.1	EQ			
	34	268.7(a)(2)(i)(A)	2245.C.1.a	EQ			
3 7	34,39, 78,83, 137,151	268.7(a)(2)(i)(B)	2245.C.1.b	EQ			
5 1 information required in notice to treatment, storage or land disposal facility	34	268.7(a)(2)(i)(C)	2245.C.1.c	EQ			
		268.7(a)(2)(i)(D)	2245.C.1.d	EQ			

¹⁴ No Federal regulation; no State equivalent.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
5 1 certification signature/statement	34.39	268.7(a)(2)(ii)	2245.C.2	EQ			
1 for waste subject to exemption 1 from prohibition (such as a case-by-case 268.5 extension, 5 268.6 exemption or Subpart C 1 nationwide capacity variance) on land disposal method used for the waste, notice to receiving facility that waste is not prohibited from land disposal	34.50.66	268.7(a)(3)	2245.D	EQ			
5 1 information the notice must include	50	268.7(a)(3)(i)	2245.D.1	EQ			
	50.78.83, 137.151	268.7(a)(3)(ii)	2245.D.2	EQ			
5 1 5 6	50	268.7(a)(3)(iii)	2245.D.3	EQ			
5 1 5 6	50,109	268.7(a)(3)(iv)	2245.D.4	EQ			
5 6	109.137	268.7(a)(3)(v)	2245.D.6	EQ			
	137	268.7(a)(3)(v)(A)	2245.D.6.a	EQ			
	137	268.7(a)(3)(v)(B)	2245.D.6.b	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
3 7 , 5 6	50,109, 137	268.7(a)(3)(vi)	2245.D.7	EQ			
3 7	137	268.7(a)(3)(vii)	2245.D.5	EQ			
5 1 , 5 7 Subpart D standards, waste analysis plan to be developed, followed and kept on-site; generators treating hazardous debris under 268.45, Table 1 alternative treatment standards not subject to analysis requirements	50,66, 78,109	268.7(a)(4)	2245.E	EQ			
5 1 , 5 8 waste analysis plan based on detailed chemical and physical analysis of representative sample; contain information necessary to treat waste in accordance with 268 requirements	50,78	268.7(a)(4)(i)	2245.E.1	EQ			
5 1 , 5 8 file plan with EPA Regional Administrator or authorized State 30 days prior to treatment; delivery verified	50,78	268.7(a)(4)(ii)	2245.E.2	EQ			
5 1 , 5 8 compliance with 268.7(a)(2) notification requirements for wastes shipped off-site	50,78	268.7(a)(4)(iii)	2245.E.3	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
5 8 remove	50,78	268.7(a)(4)(iv)	¹⁴ N/A	EQ			
1 1 , 5 1 maintenance of data supporting , knowledge of waste: retention 5 of waste analysis data on-site in 9 files	34,50	268.7(a)(5)	2245.F	EQ			
conditions under which a generator, managing a restricted waste excluded from the definition of hazardous or solid waste, must place a one-time notice in the facility's file containing specified information	83,137	268.7(a)(6)	2245.G	EQ			
6 five-year retention period for 0 notices, certifications, demonstrations, etc., produced relative to 268.7; extensions during enforcement actions; requirements apply to solid wastes even when hazard characteristic is removed prior to disposal or when waste excluded from definition of hazardous or solid waste in 261.2 through 261.6 or exempted from RCRA Subtitle C regulation subsequent to the point of generation	50,83, 137	268.7(a)(7)	2245.H	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† 1 notice for a generator managing 3 a lab pack that contains none of 3 the wastes specified in 7 appendix IV of part 268 who 6 wishes to use alternative 0 treatment standard under 268.42(c); 268.7(a)(5)&(6) compliance; certification	78.83, 137	268.7(a)(8)	2245.I	EQ			
remove and reserve	78.83, 137	268.7(a)(9)	¹⁴ N/A	EQ			
5 notification and certification 1 requirements for small quantity 6 generators with tolling 0 agreements pursuant to 40 CFR 262.20(e)	78.83	268.7(a)(10)	¹⁵ Chapter 39			MS	
treatment facility testing at frequency specified in waste analysis plan	<i>9/22/98</i> 34,39,50	268.7(b)	2247.A	EQ			
testing when standards are expressed as concentrations in waste extract	50 <i>9/22/98</i>	268.7(b)(1)	2247.A.1	EQ			
testing of 268.32 or RCRA 3004(d) prohibited wastes not subject to Subpart D treatment standards	50	268.7(b)(2)	2247.A.2	EQ			
testing for wastes with treatment standards expressed as concentrations in waste	50	268.7(b)(3)	2247.A.3	EQ			

¹⁵There is no equivalent and in this case the state does not offer the relief to SQG and thus the state is more stringent.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
6 notice with each shipment by treatment facility to land disposal facility; however, debris excluded from the hazardous waste definition at 261.3(e) is subject to notification and certification under 268.7(d)	9/20/98 ✓ 34,50,109	268.7(b)(4)	2247.B	EQ			
6 1	9/20/98 ✓ 34,50 ✓	268.7(b)(4)(i)	2247.B.1	EQ			
3 7 , 5 2 , 5	9/20/98 ✓ 34,39,50, 78,83, 124,137,1 51	268.7(b)(4)(ii)	2247.B.2	EQ			
information the notice must include	9/20/98 ✓ 34,50	268.7(b)(4)(iii)	2247.B.3	EQ			
		268.7(b)(4)(iv)	2247.B.4	EQ			
6 2 certification of each shipment; however, debris excluded from the definition of hazardous waste under 261.3(e) is subject to notification and certification under 268.7(d)	9/20/98 ✓ 34,39, 50,109	268.7(b)(5)	2247.C	EQ			
6 2 certification requirements for wastes with treatment standards expressed as concentrations in the waste extract or in the waste, or for wastes prohibited under 268.32 or RCRA Section 3004(d) which do not have 268, Subpart D treatment standards	9/20/98 ✓ 34,39, 50,78 ✓	268.7(b)(5)(i)	2247.C.1	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
6 2 certification requirements for wastes with treatment standards expressed as technologies	9/20/98 34.50	268.7(b)(5)(ii)	2247.C.2	EQ			
certification requirements for wastes with treatment standards expressed as concentrations in the waste pursuant to 268.43	9/20/98 78	268.7(b)(5)(iii)	2247.C.3	EQ			
certification requirement for characteristic wastes D001, D002, and D012-D043 that are subject to treatment standards in 268.40, expected to contain underlying hazardous constituents, treated on-site to remove the hazardous characteristic, and then sent off-site for treatment of underlying hazardous constituents	9/20/98 137,151	268.7(b)(5)(iv)	2247.C.4	EQ			
certification for specified characteristic wastes that contain underlying hazardous constituents that are treated on-site	9/20/98 151	268.7(b)(5)(v)	2247.C.5	EQ			
compliance with generator notice and certification requirements if waste sent offsite	5/20/97 50	268.7(b)(6)	2247.D	EQ			
6 3 no 268.7(b)(4) notification for recyclable materials used in a manner constituting disposal and subject to 266.20(b); with each shipment 268.7(b)(5) certification and 268.7(b)(4) notice to Regional Administrator; records of recipients of waste-derived products	9/20/98 50 16 Comment rescinded	268.7(b)(7)	¹⁶ 2247.E	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
6 requirements for land disposal 4 facility except where the owner or operator is disposing recyclable wastes pursuant to 266.20(b):	34,39, 50,78 <i>9/20/98</i>	268.7(c)	2247.F	EQ			
6 have copies of notice and 4 certifications under 268.7(a) or (b) and certifications in 268.8 if applicable	34,39,50 <i>9/20/98</i>	268.7(c)(1)	2247.F.1	EQ			
6 test of waste or extract; 4 applicable treatment standards to be met; frequency of testing	39,50 ✓	268.7(c)(2)	2247.F.2	EQ			
6 5 remove	50,78	268.7(c)(3)	¹⁴ N/A	EQ			
6 5 remove	66,78	268.7(c)(4)	¹⁴ N/A	EQ			
7 notification and certification requirements for generators or treaters who first claim that hazardous debris is excluded from the definition of hazardous waste under 261.3(e)	109,137 <i>1/20/96</i>	268.7(d)	2246.E	EQ			
3 7 , 6 6	109,137	268.7(d)(1)	2246.E.1	EQ			
one-time notification including specified information	109	268.7(d)(1)(i)	2246.E.1.a	EQ			
		268.7(d)(1)(ii)	2246.E.1.b	EQ			
		268.7(d)(1)(iii)	2246.E.1.c	EQ			
when notification must be updated	109	268.7(d)(2)	2246.E.2	EQ			

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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
how the owner or operator must document and certify compliance with Table 1, 268.45 treatment standards	109	268.7(d)(3)	2246.E.3	EQ			
		268.7(d)(3)(i)	2246.E.3.a	EQ			
		268.7(d)(3)(ii)	2246.E.3.b	EQ			
		268.7(d)(3)(iii)	2246.E.3.c	EQ			

6
7 LANDFILL AND SURFACE IMPOUNDMENT DISPOSAL RESTRICTIONS

remove and reserve	50,66,78,151	268.8	N/A	EQ			
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SPECIAL RULES REGARDING WASTES THAT EXHIBIT A CHARACTERISTIC

3 determination of applicable 7 treatment standards under Subpart D, Part 268 by initial generator of a solid waste; code designation and exceptions; conditions under which generator must determine the underlying hazardous characteristics are expected to be present above universal treatment standards	78,83,124,137,151 <i>9/20/98</i>	268.9(a)	2246.A	EQ			
the treatment standard for the waste code listed in 40 CFR Part 261, Subpart D will operate for wastes both listed under Subpart D, Part 261 and exhibit a characteristic under Subpart C, Part 261; conditions under which treatment standards for all applicable listed and characteristic waste codes must be met	78 <i>9/20/98</i>	268.9(b)	2246.B	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
no prohibited waste which exhibits a characteristic under 40 CFR Part 261, Subpart C may be land disposed unless waste complies with Part 268, Subpart D treatment standards	78	268.9(c)	2246.C	EQ			
2 wastes that exhibit a 6 characteristic are subject to , 268.7 requirements; once 6 wastes are no longer hazardous, 8 place one-time notification and certification in generator's/ treater's files and send to EPA region or authorized State; when notification and certification must be updated; annual EPA/State notification if such changes occur, by December 31	78,109, 151	268.9(d)	2246.D	EQ			
2 6	78	268.9(d)(1)	2246.D.1	EQ			
2 6	78,109, 137.151	268.9(d)(1)(i)	2246.D.1.a	EQ			
2 6 , 6 9	78,83, 109.137.1 51	268.9(d)(1)(ii)	2246.D.1.b	EQ			
information needed with each notification	78,109	268.9(d)(1)(iii)	2246.D.1.c	EQ			
certification signed by authorized representative stating language found in 268.7(b)(5)	78,109	268.9(d)(2)	2246.D.2	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
3 if treatment removes the 7 characteristic but does not treat underlying hazardous constituents, then the certification found in §268.7(b)(5)(iv) applies	137	268.9(d)(2)(i)	2246.D.3	EQ			
reserved	137	268.9(d)(2)(ii)	¹⁴ N/A	EQ			

SUBPART B - SCHEDULE FOR LAND DISPOSAL PROHIBITION AND ESTABLISHMENT OF TREATMENT
STANDARDS

7
0 SURFACE IMPOUNDMENT EXEMPTIONS

defines additional circumstances in which prohibited waste may continue to be placed in a surface impoundment	109	1/20/96 268.14(a)	2237.C.1	EQ			
continued storage of "newly identified waste" in newly regulated impoundment for 48 months after the promulgation of the additional listing or characteristic provided waste is not otherwise prohibited and impoundment is in compliance with 265, subpart F within 12 months after new listing/ characteristic promulgation	109	268.14(b)	2237.C.2	EQ			
continue treatment of "newly identified waste" in newly regulated impoundment, provided waste is not otherwise prohibited, and surface impoundment is in compliance with 265, Subpart F within 12 months after new listing/ characteristic promulgation	109	268.14(c)	2237.C.3	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
SUBPART C - PROHIBITIONS ON LAND DISPOSAL							
WASTE SPECIFIC PROHIBITIONS - SOLVENT WASTES							
7 effective November 8, 1986, 1 F001-F005 spent solvent wastes, as specified in 261.31, are prohibited from land disposal unless one or more conditions apply:	34	268.30(a)	2209.A	EQ			
generated by an SQG of 100-1000 kg/mo	34	268.30(a)(1)	¹⁷ Chapter 39			MS	
generated by a CERCLA response action/corrective action except where waste is contaminated soil or debris	34,50	268.30(a)(2)	2209.A.1	EQ			
1 concentration-specific exemption (solvent waste with less than 1% total solvent constituent)	34,50	268.30(a)(3)	2209.A.2	EQ			
solvent waste residue from treating a 268.30(a)(1), (a)(2), or (a)(3) waste or residue from other wastes meeting specific requirements	39	268.30(a)(4)	2209.A.3	EQ			
effective November 8, 1988, the F001-F005 solvent exemptions of 268.30(a)(1)-(4) are prohibited from land disposal	34.50	268.30(b)	2209.B	EQ			

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¹⁷The State does not recognize conditionally exempt SQG.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
land disposal of F001-F005 solvent wastes that are contaminated soil and debris (and their treatment residues) resulting from CERCLA action or RCRA corrective action prohibited after November 8, 1990; permitted disposal in landfill or surface impoundment unit in compliance with 268.5(h)(2) prior to November 8, 1990	50	268.30(c)	2209.B	EQ			
7 situations where 268.30(a), (b) and (c) do not apply:	34.50	268.30(d)	2209.C	EQ			
7 wastes treated to meet Subpart 2 D of Part 268	34.50	268.30(d)(1)	2209.C.3	EQ			
disposal at facility with successful no-migration petition	34.50	268.30(d)(2)	2209.C.1	EQ			
7 wastes and units for which case-2 by-case extensions have been granted	34.50	268.30(d)(3)	2209.C.2	EQ			
WASTE SPECIFIC PROHIBITIONS - DIOXIN-CONTAINING WASTES							
1 effective November 8, 1988, the dioxin-containing wastes, F020-F023 and F026-F028, are prohibited from land disposal unless a specific condition applies:	34.50	268.31(a)	2211.A	EQ			
these wastes are contaminated soil and debris waste resulting from response action under CERCLA or from a RCRA corrective action	50	268.31(a)(1)	2211.C	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
prohibit land disposal of F020-F023 and F026-F028 dioxin-containing wastes of 268.31(a)(1) effective November 8, 1990	50	268.31(b)	2211.A	EQ			
1 between November 8, 1988, 1 and November 8, 1990, wastes of 268.31(a)(1) disposed in landfill or surface impoundment must meet 268.5(h)(2) and applicable 264 and 265 requirements	34.50 <i>11/20/96</i>	268.31(c)	2211.C	EQ			
1 1 , 7 situations where 268.31(a) and 3 (b) do not apply	34.50	268.31(d)	2211.B	EQ			
7 3 wastes treated to meet Subpart D, Part 268 standards	34.50	268.31(d)(1)	2211.B.1	EQ			
1 1 , 7 disposal at facility with 3 successful no-migration petition	34.50	268.31(d)(2)	2211.B.2	EQ			
1 1 , 7 extension to effective date of a 3 prohibition	34.50	268.31(d)(3)	2211.B.3	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
WASTE SPECIFIC PROHIBITIONS - CALIFORNIA LIST WASTES							
prohibitions effective July 8, 1987, except in injection wells:	39	268.32(a)	2213.A	EQ			
liquids having pH less than or equal to 2.0	39	268.32(a)(1)	2213.A.1	EQ			
liquids containing PCBs greater than or equal to 50 ppm	39	268.32(a)(2)	2213.A.2	EQ			
liquids containing HOCs greater than or equal to 1,000 mg/l and less than 10,000 mg/l	39	268.32(a)(3)	2213.A.3	EQ			
reserved	39	268.32(b)	¹⁴ N/A	EQ			
reserved	39	268.32(c)	¹⁴ N/A	EQ			
268.32(a) and (e) requirements do not apply until specific calendar dates:	39,50	268.32(d)	2213.B	EQ			
July 8, 1989 for contaminated soil or debris <u>not</u> resulting from a 104 or 106 CERCLA response or a RCRA corrective action; disposal allowed between July 8, 1987, and July 8, 1989, in landfill or surface impoundment in compliance with 268.5(h)(2)	50	268.32(d)(1)	2213.B.1	EQ			
November 8, 1990 for contaminated soil or debris resulting from a CERCLA 104 or 106 response or a RCRA corrective action; disposal between November 8, 1988, and November 8, 1990, permitted in landfill or surface impoundment in compliance with 268.5(h)(2)	50	268.32(d)(2)	2213.B.2	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
land disposal prohibitions effective November 8, 1988:	39,50	268.32(e)	2213.C	EQ			
7 liquids containing HOCs greater 4 than or equal to 1,000 mg/l and not prohibited under 268.32(a) (3)	39	268.32(e)(1)	2213.C.1	EQ			
nonliquid wastes containing HOCs greater than or equal to 1,000 mg/kg and not wastes described in 268.32(d)	39,50	268.32(e)(2)	2213.C.2	EQ			
between July 8, 1987, and November 8, 1988, 268.32(e) (1) and (e)(2) wastes may be disposed of in a landfill or surface impoundment if disposal complies with 268.5(h) (2)	39,50,66	268.32(f)	¹⁸ N/A	EQ			
requirements of 268.32(a), (d) and (e) do not apply under certain conditions:	39,50	268.32(g)	2213.D	EQ			
granted a 268.6 exemption	39	268.32(g)(1)	2213.D.1	EQ			
granted a 268.5 exemption	39	268.32(g)(2)	2213.D.2	EQ			
in compliance with Subpart D standards, or, where standard not specified, with RCRA 3004(d) or 268.32 prohibitions	39	268.32(g)(3)	2213.D.3	EQ			
requirements of 268.32(a)(3), (d) and (e) do not apply when subject to Part 268, Subpart C prohibition	39,50	268.32(h)	2213.E	EQ			
2 method 9095 required	39	268.32(i)	2213.F	EQ			

¹⁸State regulations in effect in 1989. This section is not applicable.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOGIS			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
applicability of waste analysis/recordkeeping requirements of 268.7:	39	268.32(j)	2213.G	EQ			
initial generator must use 261.22(a)(1) procedures or knowledge of pH; pH less than or equal to 2.0 restriction	39	268.32(j)(1)	2213.G.1	EQ			
initial generator must test for or have knowledge of HOC or PCB concentration levels; restriction above levels	39	268.32(j)(2)	2213.G.2	EQ			
WASTE SPECIFIC PROHIBITIONS - FIRST THIRD WASTES							
specific wastes prohibited from land disposal effective August 8, 1988	50.66	268.33(a)	2215.B	EQ			
land disposal prohibition of K061 waste containing 15% or greater of zinc pursuant to 268.41 treatment standard for K061 containing less than 15% zinc	50	268.33(a)(1)	2215.C	EQ			✓
K071 prohibited from land disposal effective August 8, 1990	50.83	268.33(b)	2215.D	EQ			
effective August 8, 1990, land disposal prohibition of wastes specified in 268.10 having a treatment standard in 268, Subpart D based on incineration and which are contaminated soil and debris	50	268.33(c)	2215.E	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
between November 8, 1988, and August 8, 1990, landfill or surface impoundment disposal of wastes included under 268(b) & (c) permitted if unit is in compliance with 268.5(h)(2)	50	268.33(d)	2215.F	EQ			
requirements of 268(a)-(d) do not apply if:	50	268.33(e)	2215.G	EQ			
waste meets applicable 268, Subpart D standards	50	268.33(e)(1)	2215.G.1	EQ			
granted an exemption from prohibition for wastes and units under 268.6	50	268.33(e)(2)	2215.G.2	EQ			
granted an extension to an effective date for wastes under 268.5	50	268.33(e)(3)	2215.G.3	EQ			
prohibition of landfill or surface impoundment disposal of wastes specified in 268.10 for which treatment standards have not been promulgated (other than 268.32 or RCRA 3004(d) prohibitions) unless a demonstration and certification have been submitted	50,66	268.33(f)	2215.H	EQ			
for a waste listed in 268.10, initial generator testing to determine if 268.41 and 268.43 treatment standards are exceeded; prohibition from land disposal if exceed standards	50,66	268.33(g)	2215.I	EQ			

WASTE SPECIFIC PROHIBITIONS - SECOND THIRD WASTES

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
effective June 8, 1989, prohibition from land disposal of specific 261.31, 261.32 and 261.33 wastes	63	268.34(a)	2217.B	EQ			
effective June 8, 1989, prohibition from land disposal, except underground injection pursuant to 148.14(f) and 148.15(d), of certain 261.32 wastes	63	268.34(b)	2217.B	EQ			
effective June 8, 1989, prohibition from land disposal of F006, F008, F009, F011 and F012	63	268.34(c)	2217.B	EQ			
effective July 8, 1989, F007 prohibited from land disposal except underground injection pursuant to 148.14(f)	63	268.34(c)(1)	2217.B	EQ			✓
July 8, 1989, until December 8, 1989, F011 and F012 non-wastewaters prohibited from land disposal pursuant to 268.41 and 268.43 treatment standards for F007, F008 and F009 non-wastewaters; effective December 8, 1989, F011 and F012 prohibited from land disposal pursuant to 268.41 and 268.43 treatment standards for F011 and F012 nonwastewaters	63	268.34(c)(2)	2217.B	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
effective June 8, 1991, wastes specified in 268.34 with Part 268, Subpart D treatment standard based on incineration, and which are contaminated soil and debris, are prohibited from land disposal	63	268.34(d)	2217.C	EQ			
requirements for landfill or surface impoundment disposal of wastes included in 268.34(c) and (d) between June 8, 1989, and June 8, 1991; applies to F007, F008, F009, F011, and F012 only between June 8, 1989, and July 8, 1989	63	268.34(e)	2217.D	EQ			
requirements of 268.34(a)-(d) do not apply if:	63	268.34(f)	2217.E	EQ			
meet applicable 268 Subpart D standards	63	268.34(f)(1)	2217.E.1	EQ			
granted an exemption pursuant to a 268.6 petition for the wastes and units covered by the petition	63	268.34(f)(2)	2217.E.2	EQ			
268.34(a), (b) and (c) do not apply if granted extension under 268.5 for wastes covered by extension	63	268.34(g)	2217.F	EQ			


CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
between June 8, 1989, and May 8, 1990, prohibition from land disposal in landfills or surface impoundments of 268.11 wastes for which Subpart D treatment standards are not applicable, including California list wastes subject to prohibitions under RCRA 3004(d) or 268.32; exceptions under 268.8	63	268.34(h)	2217.G	EQ			
initial generator testing to determine if a 268.10, 268.11 and 268.12 waste exceeds applicable 268.41 and 268.43 treatment standards; land disposal prohibited and all 268 requirements apply if constituents exceed Part 268, Subpart D level	63	268.34(i)	2217.H	EQ			

WASTE SPECIFIC PROHIBITIONS - THIRD THIRD WASTES

effective August 8, 1990, prohibition from land disposal of certain wastes specified in 261.31, 261.32, 261.33(e) and 261.33(f) as listed in 268.35(a)	78.83	268.35(a)	2219.B	EQ			
effective November 8, 1990, prohibition from land disposal of certain wastes specified in 261.32	78	268.35(b)	2219.B	EQ			
effective May 8, 1992, prohibition from land disposal of certain wastes specified in 261.31, 261.32, 261.33(e) and 261.33(f); certain characteristic wastes; and RCRA hazardous wastes containing naturally occurring radioactive materials	78,83, 106,116	268.35(c)	2219.C.1-2	EQ			


CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
effective May 8, 1992, 268.10, 268.11 and 268.12 mixed radioactive/hazardous wastes are prohibited from land disposal	78,83,116	268.35(d)	2219.D	EQ			
subject to applicable prohibitions in §§ 268.30, 268.31 and 268.32, contaminated soil and debris are prohibited from land disposal as follows:	116	268.35(e)	2219.E	EQ			
7 effective May 8, 1994, 5 prohibition from land disposal of debris contaminated with 268.12 wastes and debris contaminated with any characteristic waste having Subpart D, Part 268 treatment standards	78.83, 103,116, 123	268.35(e)(1)	2219.E.1	EQ			
7 effective May 8, 1994, mixed 6 radioactive hazardous debris contaminated with 268.12 wastes and mixed radioactive hazardous debris contaminated with any characteristic waste for which Subpart D treatment standards are established are prohibited from land disposal	123	268.35(e)(2)	2219.E.2	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
268.35(e)(1)&(2) do not apply where generator has failed to make good-faith effort to locate suitable treatment capacity, has not utilized such capacity as it has found to be available, or has failed to file a report under 268.5(g), by August 12, 1993 or within 90 days after hazardous waste is generated, describing generator's efforts to locate treatment capacity; where 268.35(e)(1)&(2) do not apply, all wastes described in 268.35(e)(1)&(2) are prohibited from land disposal effective May 8, 1993	123	268.35(e)(3)	2219.E.3	EQ			
effective May 8, 1993, hazardous soil contaminated with wastes specified in this section having treatment standards in 268 Subpart D based on incineration, mercury retorting or vitrification, and soils contaminated with hazardous wastes listed in 40 CFR 268.10, 268.11 and 268.12 that are mixed radioactive hazardous wastes are prohibited from land disposal	116,123	268.35(e)(4)	2219.E.4	EQ			
when used in 268.35(e)(1)&(2), debris defined as:	123	268.35(e)(5)	2219.E.5	EQ			
as defined in 268.2(g)	123	268.35(e)(5)(i)	2219.E.5.a	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
nonfriable inorganic solids that are incapable of passing through a 9.5 mm standard sieve that require cutting, or crushing and grinding in mechanical sizing equipment prior to stabilization, limited to the inorganic or metal materials specified in 268.35(e)(5)(ii)(A)-(H)	123	268.35(e)(5)(ii)	2219.E.5.b	EQ			
		268.35(e)(5)(ii)(A)	2219.E.5.b.i	EQ			
		268.35(e)(5)(ii)(B)	2219.E.5.b.ii	EQ			
		268.35(e)(5)(ii)(C)	2219.E.5.b.iii	EQ			
		268.35(e)(5)(ii)(D)	2219.E.5.b.iv	EQ			
		268.35(e)(5)(ii)(E)	2219.E.5.b.v	EQ			
		268.35(e)(5)(ii)(F)	2219.E.5.b.vi	EQ			
		268.35(e)(5)(ii)(G)	2219.E.5.b.vii	EQ			
		268.35(e)(5)(ii)(H)	2219.E.5.b.viii	EQ			
between May 8, 1990, and August 8, 1990, wastes included in paragraph 268.35(a) may be disposed of in a landfill or surface impoundment only if such unit is in compliance with 268.5(h)(2)	78	268.35(f)	2219.F	EQ			
between May 8, 1990, and November 8, 1990, wastes included in paragraph 268.35(b) may be disposed of in a landfill or surface impoundment only if such unit is in compliance with 268.5(h)(2)	78	268.35(g)	2219.F	EQ			
between May 8, 1990, and May 8, 1992, wastes included in paragraphs 268.35(c), (d) and (e) may be disposed of in a landfill or surface impoundment only if such unit is in compliance with 268.5(h)(2)	78	268.35(h)	2219.F	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
conditions under which requirements of paragraphs 268.35(a), (b), (c), (d) and (e) do not apply:	78	268.35(i)	2219.G	EQ			
wastes meet applicable Part 268, Subpart D standards	78	268.35(i)(1)	2219.G.1	EQ			
persons granted exemption under 268.6	78	268.35(i)(2)	2219.G.2	EQ			
wastes meet applicable alternate standards under 268.44	78	268.35(i)(3)	2219.G.3	EQ			
persons granted extension to the effective date of a prohibition under 268.5	78	268.35(i)(4)	2219.G.4	EQ			
initial generator testing to determine if a 268.10, 268.11 and 268.12 waste exceeds applicable 268.41 and 268.43 treatment standards; land disposal prohibited and all 268 requirements apply if constituents exceed Part 268, Subpart D levels	78	268.35(j)	2219.H	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
effective May 8, 1993, prohibition from land disposal of D008 lead materials stored before secondary smelting; submission of binding contractual commitment, documentation and detailed schedule for specified construction, and providing specified capacity, by March 1, 1993; D008 prohibited from land disposal by failure to submit documentation; placed in facility record by July 27, 1992, documentation demonstrating that such management capacity will be adequate and complies with all applicable Subtitle C requirements	106	268.35(k)	2219.I	EQ		✓	
WASTE SPECIFIC PROHIBITIONS - NEWLY LISTED WASTES							
effective November 9, 1992, K107, K108, K109, K110, K111, K112, K117, K118, K123, K124, K125, K126, K131, K132, K136, U328, U353 and U359 prohibited from land disposal	109	268.36(a)	2221.C.1	EQ			
effective June 30, 1993, F037 and F038 not generated from surface impoundment cleanouts or closures are prohibited from land disposal	109	268.36(b)	2221.C.1	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
effective June 30, 1994, F037 and F038 generated from surface impoundment cleanout or closures are prohibited from land disposal	109	268.36(c)	2221.C.1	EQ			
effective June 30, 1994, radioactive wastes mixed with specified wastes are prohibited from land disposal	109	268.36(d)	2221.C.2	EQ			
effective June 30, 1994, debris contaminated with specified wastes and not contaminated with other prohibited waste are prohibited from land disposal	109	268.36(e)	2221.C.3	EQ			
under what circumstances 268.36(b) wastes may be disposed in a landfill or generated and disposed in a surface impoundment	109	268.36(f)	2221.C.4	EQ			
under what circumstances 268.36(d) and (e) wastes may be disposed in a landfill or generated and disposed in a surface impoundment	109	268.36(g)	2221.C.4	EQ			
under what circumstances 268.36 (a)-(e) do not apply	109	268.36(h)	2221.C.5	EQ			
		268.36(h)(1)	2221.C.5.a	EQ			
		268.36(h)(2)	2221.C.5.b	EQ			
		268.36(h)(3)	2221.C.5.c	EQ			
		268.36(h)(4)	2221.C.5.d	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
how to determine whether a 268.36 waste exceeds a 268.41 or 268.43 treatment standard; waste prohibited and all Part 268 requirements apply if constituents in excess of applicable levels	109	268.36(i)	2221.C.6	EQ		<i>i</i>	

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
WASTE SPECIFIC PROHIBITIONS--IGNITABLE AND CORROSIVE CHARACTERISTIC WASTES WHOSE TREATMENT STANDARDS WERE VACATED							
effective August 9, 1993, wastes specified in 261.21 as D001 (and not in the High TOC Ignitable Liquids subcategory) and in 261.22 as D002 that are managed in systems other than those whose discharge is regulated under the CWA or that inject in Class I deep wells regulated under the SDWA or are zero dischargers that engage in CWA-equivalent treatment before ultimate land disposal, are prohibited from land disposal; CWA-equivalent treatment defined	124	268.37(a)	2221.D.1	EQ			
			4/20/96				
effective February 10, 1994, wastes specified in 261.21 as D001 (and not in the High TOC Ignitable Liquids subcategory) and in 261.22 as D002 that are managed in systems defined in 40 CFR 144.6(e) and 146.6(e) as Class V injection wells that do not engage in CWA-equivalent treatment before injection are prohibited from land disposal	124	268.37(b)	2221.D.2	EQ			
			↓				

SUBPART C - PROHIBITIONS ON LAND DISPOSAL

WASTE SPECIFIC PROHIBITIONS - NEWLY IDENTIFIED ORGANIC TOXICITY CHARACTERISTIC WASTES AND NEWLY LISTED COKE BY-PRODUCT AND CHLOROTOLUENE PRODUCTION WASTES

land disposal prohibitions for specified wastes as of December 19, 1994; definition of CWA-equivalent treatment	137	268.38(a)	2221.E.1	EQ			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
September 19, 1996 land disposal prohibition of radioactive wastes mixed with D018-D043 meeting certain criteria; definition of CWA-equivalent treatment; similar prohibition for radioactive wastes mixed with K141-K145 and K147-K151 and for soil and debris contaminated with these radioactive mixed wastes	137	268.38(b)	2221.E.2	EQ			
where 268.38(b) wastes may be disposed of between December 19, 1994 and September 19, 1996	137	268.38(c)	2221.E.3	EQ			
when the requirements of 268.38(a), (b), and (c) do not apply:	137	268.38(d)	2221.E.4	EQ			
wastes meet applicable Part 268, Subpart D treatment standards	137	268.38(d)(1)	2221.E.4.a	EQ			
exemption pursuant to a 268.6 petition	137	268.38(d)(2)	2221.E.4.b	EQ			
wastes meet alternate treatment standards pursuant to 268.44	137	268.38(d)(3)	2221.E.4.c	EQ			
granted an extension to the effective date of a prohibition pursuant to 268.5	137	268.38(d)(4)	2221.E.4.d	EQ			
how to and who determines whether a hazardous waste identified in 268.38 exceeds applicable treatment standards specified in 268.40	137	268.38(e)	2221.E.5	EQ			

7 WASTE SPECIFIC PROHIBITIONS - SPENT ALUMINUM POTLINERS; REACTIVE; AND CARBAMATE
7 WASTES

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
specified wastes and soil and debris contaminated with these wastes are prohibited from land disposal as of July 8, 1996	151	268.39(a)	2221.F.1	EQ			
7 as of July 8, 1996, D003 wastes 8 are prohibited from land disposal; exceptions	151	268.39(b)	2221.F.2	EQ			
K088 wastes and soil and debris contaminated with these wastes are prohibited from land disposal as of January 8, 1997	151	268.39(c)	2221.F.3	EQ			
radioactive wastes mixed with specified wastes and soil and debris contaminated with these radioactive mixed wastes are prohibited from land disposal as of April 8, 1998	151	268.39(d)	2221.F.4	EQ			
between July 8, 1996, and April 8, 1998, the wastes listed in 268.39(a),(c), and (d) may be disposed in a landfill or surface impoundment only if such unit complies with the requirements of 268.5(h)(2)	151	268.39(e)	2221.F.5	EQ			
the requirements of 268.39(a)-(d) do not apply if:	151	268.39(f)	2221.F.6	EQ			
the wastes meet the treatment standards specified in part 268 subpart D	151	268.39(f)(1)	2221.F.6.a	EQ			
persons have been granted an exemption from a prohibition pursuant to a petition under 268.6, with respect to the wastes and units covered by the petition	151	268.39(f)(2)	2221.F.6.b	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
the wastes meet the applicable alternate treatment standards established pursuant to a petition granted under 268.44	151	268.39(f)(3)	2221.F.6.c	EQ			
persons have been granted an extension to the effective date of a prohibition pursuant to 268.5, with respect to the wastes covered by the extension	151	268.39(f)(4)	2221.F.6.d	EQ			
to determine whether a hazardous waste identified in 268.39 exceeds the applicable treatment standards specified in 268.40, the initial generator must test a sample of the waste extract, test the entire waste, or use knowledge of the waste; the waste is prohibited from the land disposal, and part 268 requirements apply if the waste contains constituents exceeding part 268 subpart D levels, except as otherwise specified	151	268.39(g)	2221.F.7	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART D - TREATMENT STANDARDS

7
9 APPLICABILITY OF TREATMENT STANDARDS

when a prohibited waste identified in the table "Treatment Standards for Hazardous Wastes" may be land disposed	34, 39, 50, 78, 83, 126, 137, 151 <i>9/20/98</i> <i>11/20/98</i>	268.40(a)	2223.A	EQ				<i>not listed</i>
all hazardous constituents in the waste or in the treatment residue must be at or below the values found in the table for that waste ("total waste standards")	137 <i>11/20/98</i>	268.40(a)(1)	2223.A.1	EQ				
hazardous constituents in the extract of the waste or in the extract of the treatment residue must be at or below the values found in the table ("waste extract standards")	137	268.40(a)(2)	2223.A.2	EQ				
waste must be treated using the technology specified in the table ("technology standard"), which are described in detail in 268.42, Table 1 - Technology Codes and Description of Technology-Based Standards	137	268.40(a)(3)	2223.A.3	EQ				
how to comply for wastewaters; how to comply for nonwastewaters; compliance for wastes covered by the waste exhaust standards; compliance for wastes covered by a technology standard	39, 109, 124, 137 <i>9/20/98</i> <i>11/20/96</i>	268.40(b)	2223.B	EQ				

11/20/96

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
treatment standards when wastes with differing treatment standards are combined	50,78, 137	9/20/98 268.40(c)	2223.C	EQ			
how treatment and disposal facilities demonstrate (and certify pursuant to 40 CFR 268.7(b)(5)) compliance with the treatment standards for organic constituents	109,137	9/20/98 268.40(d)	2223.D	EQ			
treatment standards were established based on incineration in units operated in accordance with Part 264, Subpart O or on combustion in fuel substitution units operating in accordance with applicable technical requirements	137	268.40(d)(1)	2223.D.1	EQ			
use of methods referenced in 268.40(d)(1) to treat organic constituents	137	268.40(d)(2)	2223.D.2	EQ			
demonstrate that good-faith analytical efforts achieve detection limits for the regulated organic constituents that do not exceed the treatment standards specified in 268.40 by an order of magnitude	137	9/20/98 268.40(d)(3)	2223.D.3	EQ			
8 for characteristic wastes with 0 treatment standards in the "Treatment Standards for Hazardous Wastes" Table, all underlying hazardous constituents must meet Universal Treatment Standards	137,151	268.40(e)	2223.E	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
other wastes to which the treatment standards for F001-F005 nonwastewater constituents carbon disulfide, cyclohexanone, and/or methanol apply; how compliance is measured	137	268.40(f)	2223.F	EQ			
8 between Aug. 26, 1996 and 1 Aug. 26, 1997, treatment standards for listed carbamate wastes and soil contaminated with them may be satisfied by meeting constituent concentrations in 268.40 table or treating waste using specified technologies	151	268.40(g) 9/20/98	2223.G] not in FR	EQ			
3 "Treatment Standards for Hazardous Waste" (use Table 8 found at 62 FR 7505-7595 2 (February 19, 1997))	137,151	268.40/Table	Chapter 22, Table 2	EQ			
7 9 TREATMENT STANDARDS EXPRESSED AS CONCENTRATIONS IN WASTE EXTRACT							
refer to 268.40 for requirements previously found in this section and for treatment standards in Table CCWE	126,137	268.41	2225.A ?	EQ			
remove	34,50, 63,78, 102,109, 137	268.41(a)	¹⁴ N/A	EQ			
remove	34,50,63, 78,83, 95,109, 124, 136,137	268.41(a)/Table CCWE	¹⁴ N/A	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
remove	34.95.137	268.41(b)	¹⁴ N/A	EQ			
remove	109.137	268.41(c)	¹⁴ N/A	EQ			

7

9 TREATMENT STANDARDS EXPRESSED AS SPECIFIED TECHNOLOGIES

refer to 268.40 for requirements previously found in 268.42 Table 2 and Table 3	137	268.42 note	¹⁹ Chapter 22. Table 3	EQ			
wastes identified in 268.42(a) (1)&(2) and the table in § 268.40 "Treatment Standards for Hazardous Wastes" using technology(ies) specified in 268.42(a)(1)&(2) and in Table 1 of 268.42	34.78.137 9/20/98	268.42(a) 9/20/98	2227.A	EQ			
standard for incineration of liquid hazardous wastes containing PCBs	39 9/20	268.42(a)(1)	2227.A.1	EQ			
standard for incineration of certain nonliquid hazardous wastes containing HOCs; where standards do not apply	39.50, 78.83 9/20 11/20/96	268.42(a)(2)	2227.A.2	EQ			
8 3 mixture of wastewater (discharge of which is subject to Clean Water Act) and <i>de minimis</i> losses of materials that meet the criteria of D001 ignitable liquids with greater than 10% TOC is subject to Table 1 DEACT treatment standard: <i>de minimis</i> defined	63.78.83 11/20/96 11/20/96	268.42(a)(3)	2227.A.3	EQ			

¹⁹Comment rescinded.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
8 4 remove	63,78	268.42(a)(4)	¹⁴ N/A	EQ			
3 7 Technology Codes and Description of Technology-Based Standards	78,83, 137,151	268.42(a)/Table 1	Chapter 22.Table 3	EQ			
remove	78,83,95, 102,109, 124,137	268.42(a)/Table 2	¹⁴ N/A	EQ			
remove	78,83, 137	268.42(a)/Table 3	¹⁴ N/A	EQ			

Guidance note: 268.42(b) is NOT DELEGABLE. States should see Note 4 at the beginning of this checklist regarding how to incorporate this section into their code.

submit application to Administrator demonstrating alternate treatment can achieve 268.42(a), (c), & (d) performance specifications for wastes or 268.45 Table 1 specifications for hazardous debris; information demonstrating compliance with Federal, State and local requirements; criteria for approval by Administrator; approval in writing containing provisions and conditions as the Administrator deems appropriate; compliance by person to whom approval is issued	34,39, 78,109	268.42(b)	2227.B	EQ			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
†							
,							
1							
3 Alternate Treatment Standards for Lab Packs							
conditions for eligibility of lab packs for land disposal:	78	268.42(c)	2227.C	1/20/96 EQ			
compliance of lab packs with applicable provisions of 264.316 and 265.316	78	268.42(c)(1)	2227.C.1	EQ			
lab pack does not contain any Part 268, Appendix IV wastes	78.137	268.42(c)(2)	2227.C.2	EQ			
incineration of lab packs in accordance with Part 264, Subpart O and Part 265, Subpart O requirements	78	268.42(c)(3)	2227.C.3	EQ			
treatment standards for incinerator residues from lab packs containing D004, D005, D006, D007, D008, D010 and D011	78	268.42(c)(4)	2227.C.4	EQ			
8 radioactive mixed wastes are subject to the treatment standards in 268.40; when standards are specified in Table of Treatment Standards, then those govern; where there is no specific standard for radioactive mixed waste, then the treatment standard for the hazardous waste applies; hazardous debris containing radioactive waste is subject to the 268.45 treatment standards	78,109, 137	268.42(d)	2227.D	EQ			



CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
7							
9 TREATMENT STANDARDS EXPRESSED AS WASTE CONCENTRATIONS							
refer to 268.40 for requirements previously found in this section and for treatment standards in Table CCW	137	268.43	²⁰ N/A	EQ			
remove	34,50, 63,78, 137	268.43(a)	²⁰ N/A	EQ			
remove	50,62, 63,78, 83,109, 124,137	268.43(a)/Table CCW	²⁰ N/A	EQ			
remove	50,63, 137	268.43(b)	²⁰ N/A	EQ			
remove	78,83, 137	268.43(c)	²⁰ N/A	EQ			
remove	78,83, 137	268.43(c)(1)	²⁰ N/A	EQ			
remove	78,83, 137	268.43(c)(2)	²⁰ N/A	EQ			
remove	78,83, 137	268.43(c)(3)	²⁰ N/A	EQ			

8
6 VARIANCE FROM A TREATMENT STANDARD

2 conditions for variance; petition Administrator; what must be demonstrated	34,151	268.44(a)	2231.A	EQ			
procedures in accordance with 260.20	34	268.44(b)	2231.B	EQ			

²⁰ The state never separated the Table, therefore Table 2 is equivalent.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
statement signed by petitioner or authorized representative	34	268.44(c)	2231.C.1	EQ			
additional information or samples may be requested by Administrator; additional copies for affected States and region	34	268.44(d)	2231.C	EQ			
Administrator gives public notification in <u>Federal Register</u> ; final decision in <u>Federal Register</u>	34	268.44(e)	2231.D	EQ			
268.7 waste analysis requirements must be followed for wastes covered by variance	34	268.44(f)	2231.E	EQ			
requirements during petition review	34	268.44(g)	2231.F	EQ			
apply to Administrator or delegated representative for site-specific variance from a treatment standard if specified conditions are appropriate; what applicant must demonstrate	50,66	268.44(h)	2231.G	EQ			
260.20(b)(1)-(4) information must be included	50	268.44(i)	2231.H	EQ			
Assistant Administrator or delegated representative may request additional information	50	268.44(j)	2231.I	EQ			
if site-specific treatment standard variance then compliance with 268.7 waste analysis requirements	50	268.44(k)	2231.J	EQ			
during application review process, compliance with land disposal restrictions once effective date for waste reached	50	268.44(l)	2231.K	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
TREATMENT STANDARDS FOR HAZARDOUS DEBRIS							
treatment of hazardous debris prior to land disposal as specified unless EPA determines under 261.3(e)(2) that debris is no longer contaminated with hazardous waste	109	268.45(a)	2230.A	EQ			
general; treatment for each 268.45(b) contaminant subject to treatment in accordance with 268.45, Table 1	109	268.45(a)(1)	2230.A.1	EQ			
characteristic debris; deactivation as specified in 268.45, Table 1	109	268.45(a)(2)	2230.A.2	EQ			
mixtures of debris types; standards for each debris type must be achieved; if applicable, immobilization must be used last	109	268.45(a)(3)	2230.A.3	EQ			
mixtures of 268.45(b) contaminant types; 268.45, Table 1 treatment for each contaminant must be used; if applicable, immobilization must be used last	109	268.45(a)(4)	2230.A.4	EQ			
waste PCBs; hazardous debris subject to both 40 CFR 761 and 268.45 must meet more stringent requirements	109	268.45(a)(5)	2230.A.5	EQ			
hazardous debris treated for each "contaminant subject to treatment," determined as follows:	109	268.45(b)	2230.B	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

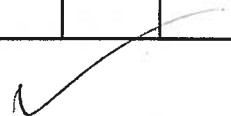
FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
toxicity characteristic debris; those EP constituents for which debris exhibits a toxicity characteristic	109	268.45(b)(1)	2230.B.1	EQ			
debris contaminated with listed waste; constituents or wastes for which treatment standards are established for the waste under §268.40	109,137	268.45(b)(2)	2230.B.2	EQ			
cyanide reactive debris; reactive because of cyanide must be treated for cyanide	109	268.45(b)(3)	2230.B.3	EQ			
when hazardous debris that has been treated is not considered a hazardous waste; hazardous debris contaminated with a listed waste that is treated by a Table 1 immobilization technology must be managed in a Subtitle C facility	109	268.45(c)	2230.C	EQ			
general requirements for treatment residues:	109	268.45(d)(1)	2230.D.1	EQ			
separate residue from debris by simple physical or mechanical means;	109	268.45(d)(1)(i)	2230.D.1.a	EQ			
residue is subject to 268 Subpart D waste-specific treatment standards	109	268.45(d)(1)(ii)	2230.C.1.b D	EQ			
residue from nontoxic debris, as specified, must be deactivated; not subject to 268 Subpart D waste-specific treatment standards	109	268.45(d)(2)	2230.C.2 D	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
residue from cyanide-reactive debris must meet 268.43, D003 standards	109	268.45(d)(3)	2230(C)3 ^D	EQ			
ignitable nonwastewater residue, as specified, must meet technology-based "D001 Ignitable Liquids" standard	109	268.45(d)(4)	2230(C)4	EQ			
layers of debris removed by spalling remain subject to 268.45 treatment standards	109	268.45(d)(5)	2230(C)5	EQ			
alternative treatment standards for hazardous debris	109	268.45/Table 1	Chapter 22, Table 8	EQ			
ALTERNATIVE TREATMENT STANDARDS BASED ON HTMR							
refer to 268.40 for treatment standards previously found in this section	109,137	268.46	Chapter 22, Table 2	EQ			
remove	109,137	268.46/Table 1	14N/A	EQ			
UNIVERSAL TREATMENT STANDARDS							
Table UTS identifies the hazardous constituents along with the nonwastewater and wastewater treatment standard levels used to regulate most prohibited hazardous wastes with numerical limits; standards cannot be exceeded for determining compliance with treatment standards for underlying hazardous constituents as defined in 268.2(i); compliance measured by analysis of grab samples unless noted in table	137	268.48(a)	2233	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
3 "Table UTS - Universal 7 Treatment Standards" . 8 7	137.151	268.48(a)/Table UTS	Chapter 22.Table 7	EQ			



START
HERE

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
SUBPART E - PROHIBITIONS ON STORAGE							
PROHIBITIONS ON STORAGE OF RESTRICTED WASTES							
1 except as provided in 268.50, 1 storage of wastes restricted from land disposal is prohibited unless certain conditions are met:	34,39 <i>1/20/96</i> <i>1/20/96</i>	268.50(a)	2205.A	EQ			
1 on-site storage exemption for 1 generator	34,109 <i>9/20/98</i> <i>9/20/98</i>	268.50(a)(1)	2205.A.1	EQ			
1 treatment, storage, and disposal 1 facility exemption	34,109 <i>1/20/96</i> <i>1/20/96</i>	268.50(a)(2)	2205.A.2	EQ			
1 container labeling	34	268.50(a)(2)(i)	2205.A.2	EQ			
1 tank labeling	34	268.50(a)(2)(ii)	2205.A.2	EQ			
1 transporter exemption	34 <i>1/20/96</i>	268.50(a)(3)	²¹ 2205.A.3	EQ			
storage up to one year	34 <i>9/20/98</i>	268.50(b)	²¹ 2205.B	EQ			
storage longer than one year	34 <i>1/20/96</i> 9/20/98	268.50(c)	2205.C	EQ			
1 268.50(a) prohibition does not 1 apply if waste is exempt from a prohibition on the type of land disposal utilized for the waste	34,50,66 <i>1/20/96</i> <i>1/20/96</i> <i>1/20/96</i>	268.50(d)	2205.D	EQ			
no prohibition where treatment standards are not specified or are met, or compliance with 268.32 or RCRA 3004 exists	34,†39 <i>1/20/96</i> <i>1/20/96</i>	268.50(e)	2205.E	EQ			

²¹Comment rescinded.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
requirements for storage of liquid hazardous wastes containing PCBs at concentrations greater than or equal to 50 ppm	11/20/96 39	268.50(f)	2205.F	EQ			

APPENDIX I TO PART 268

TOXICITY CHARACTERISTIC LEACHING PROCEDURE (TCLP)

1 1 , 4 note regarding TCLP in "Test 9 Methods for Evaluating Solid , Waste, Physical/Chemical 8 Methods" as incorporated by 8 reference at 260.11(a)	11/20/96 34,74, 126	Appendix I	Chapter 49. Appendix B ✓	EQ			
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APPENDIX II TO PART 268

TREATMENT STANDARDS (AS CONCENTRATIONS IN THE TREATMENT RESIDUAL EXTRACT)

8 F001-F005 spent solvent waste 9 treatment standards appear in 268.41, 268.42 and 268.43	9/20/98 34,109	9/20/98 Appendix II	Chapter 22. Table 2	EQ			
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APPENDIX III TO PART 268

LIST OF HALOGENATED ORGANIC COMPOUNDS REGULATED UNDER 268.32

HOC definition and list of HOCs regulated under 268.32	9/20/98 39	Appendix III	Chapter 22. Table 5	EQ			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

APPENDIX IV TO PART 268

†
,
1 WASTES EXCLUDED FROM LAB PACKS UNDER THE ALTERNATIVE TREATMENT STANDARDS OF
3 268.42(c)

list of the EPA hazardous waste codes for hazardous wastes that may not be placed in lab packs under the alternative lab pack treatment standards at 268.42(c)	11/20/96 1 78,83, 137	11/20/96 Appendix IV	Chapter 22, Table 6	EQ			
--	--------------------------------	-------------------------	---------------------	----	--	--	--

APPENDIX V TO PART 268

†
,
1
3 ORGANIC LAB PACKS

remove and reserve	78,83, 137	Appendix V	¹⁴ N/A	EQ			
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APPENDIX VI TO PART 268

RECOMMENDED TECHNOLOGIES TO ACHIEVE DEACTIVATION OF CHARACTERISTICS IN SECTION 268.42

list of technologies which achieve the standard of "deactivation to remove characteristics of ignitability, corrosivity, and reactivity"; use of specified technologies not mandatory; alternative methods not performed in land disposal units	78	Appendix VI	²² Chapter 22, Table 2	EQ			
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²²There are recommended technologies that may achieve the performance levels as mandated by Table 2. Louisiana has adopted the mandated technologies.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

APPENDIX VII TO PART 268

EFFECTIVE DATES OF SURFACE DISPOSED WASTES REGULATED IN THE LDRs

comprehensive list of wastes and effective dates	78.83	Appendix VII	²³ Chapter 22 (list of Tables) ✓	EQ			
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APPENDIX VIII TO PART 268

NATIONAL CAPACITY LDR VARIANCES FOR UIC WASTES

comprehensive list of national capacity LDR variances for UIC wastes	78.83	Appendix VIII	²³ Chapter 22 ✓	EQ			
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APPENDIX IX TO PART 268

EXTRACTION PROCEDURE (EP) TOXICITY TEST METHOD AND STRUCTURAL INTEGRITY TEST (SW-846, METHOD 1310A)

Note regarding EP in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" as incorporated by reference at 260.11(a)	83.126	Appendix IX	Chapter 49.Appendix C ✓	EQ			
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APPENDIX X TO PART 268

3 contains 1) table addressing recordkeeping, notification, and/or certification requirements and 2) certification statements A-G	137	Appendix X	Chapter 22. Table 11 ✓	EQ			
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²³Effective dates differ depending on when the state adopted the regulation. All effective dates for the state are listed in the applicable sections of LAC 33:V.Chapter 22. In addition, these tables were provided for the convenience of the reader.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

APPENDIX XI TO PART 268

"Metal Bearing Wastes Prohibited From Dilution in a Combustion Unit According to 40 CFR 268.3(c)"	151	Appendix XI	Chapter 22.Table 5	✓ EQ			
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PART 270 - EPA ADMINISTERED PERMIT PROGRAMS:
THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART B - PERMIT APPLICATION

CONTENTS OF PART A OF THE PERMIT APPLICATION

add new paragraph regarding hazardous debris; description of debris category(ies) and contaminant category(ies) to be treated, stored or disposed of at facility	109	270.13(n)	515.A.25 ✓	EQ			
--	-----	-----------	------------	----	--	--	--

CONTENTS OF PART B: GENERAL REQUIREMENTS

insert "and hazardous debris" after "hazardous waste"; insert "of this chapter" after "part 264"	109	270.14(b)(2)	517.D ✓	EQ			
add new paragraph; copy of notice of approval of petition or extension	34	270.14(b)(21)	517.V ✓	EQ			

SUBPART C - PERMIT CONDITIONS

ESTABLISHING PERMIT CONDITIONS

insert "through 268"; remove "267"	34	270.32(b)(1)	²⁴ 311.E ✓	EQ			
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²⁴Comment rescinded.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
SUBPART D - CHANGES TO PERMIT							
9							
0 PERMIT MODIFICATIONS AT THE REQUEST OF THE PERMITTEE							
replace "of restricted wastes" with ", or in containment buildings"	109	270.42(e)(3)(ii)(B)	321.C.5.d.ii.(b) ✓	EQ			
add new paragraph and subparagraphs; conditions for treating nonspecified waste	34	270.42(o)	²⁵ N/A	EQ			
prohibited from one or more land disposal methods under Part 268, Subpart C or RCRA Section 3004	34,†39	270.42(o)(1)	²⁵ N/A	EQ			
treatment in accordance with 268.4 and 268.3 and:	34,†39	270.42(o)(2)	²⁵ N/A	EQ			
treatment in accordance with 268.41, 268.42 or 268.44; or	†39	270.42(o)(2)(i)	²⁵ N/A	EQ			
no standards exist and treatment removes prohibitions of 268.32 or RCRA 3004	†39	270.42(o)(2)(ii)	²⁵ N/A	EQ			
no increased or substantially different risks	34	270.42(o)(3)	²⁵ N/A	EQ			
Federal/State approval; allowable modifications	34	270.42(o)(4)	²⁵ N/A	EQ			
add new paragraph and subparagraphs; allow facilities to change operation to treat or store if:	†39	270.42(p)	²⁵ N/A	EQ			

²⁵This rule no longer exists and is no longer applicable since all wastes have treatment standards.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
major permit modification is requested;	†39	270.42(p)(1)	²⁵ N/A	EQ			
demonstrates necessity to comply with 268 or RCRA 3004; and	†39	270.42(p)(2)	²⁵ N/A	EQ			
ensures compliance pending administrative determination	†39	270.42(p)(3)	²⁵ N/A	EQ			

APPENDIX I TO SECTION 270.42

9

1 CLASSIFICATION OF PERMIT MODIFICATION

9 redesignate old B(1)(b) as 2 B(1)(c); add new item involving 9 , F039 under "General Facility 9 Standards"; add a footnote 3 symbol to the Class I 9 designation at B(1)(b); remove 9 second occurrence of B(1)(b)	78,83,124	270.42 Appendix I, B(1)(b)	322.B.1.b ✓	EQ			
9 redesignate old B(1)(c) as B(1) 2 (d), old B(1)(b) becomes 9 , B(1)(c); add new item involving 9 underlying hazardous 4 constituents under "General Facility Standards"	78.124	270.42 Appendix I, B(1)(c) <i>OK</i>	322.B.1.c	EQ			
9 4 old B(1)(c) becomes B(1)(d)	124	270.42 Appendix I, B(1)(d)	322.B.1.d <i>OK</i>	EQ			
add entry 6 to section I	109	270.42 Appendix I, I(6)	322.I.6 ✓	EQ			
add new section M	109	270.42 Appendix I, M	322.M ✓	EQ			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
SUBPART G - INTERIM STATUS							
CHANGES DURING INTERIM STATUS							
remove "or" before "containers" and insert "or containment buildings" after "containers"; in two places, insert "of this chapter" after "Part 268"	109	270.72(b)(6)	4303.B.6	EQ			
9 5 no reconstruction; changes do not include tank/container changes to comply with land disposal restrictions	39	270.72(e)	4303.B	EQ			

- 1 This paragraph is also affected by Revision Checklist 142A (60 FR 25492; May 11, 1995).
- 2 See the amendment to the rule addressed by Revision Checklist 39 at 52 FR 41295 (October 27, 1987), included on Revision Checklist 39.
- 3 Paragraph 260.11(a) is also affected by Revision Checklist 67 (54 FR 40260, September 29, 1989), Revision Checklist 73 (55 FR 8948, March 9, 1990), and Revision Checklist 126 (58 FR 46040, August 31, 1993).
- 4 This paragraph is also affected by Revision Checklist 142E (60 FR 25492; May 11, 1995).
- 5 The original 261.3(c)(2)(ii)(C) was introduced by Revision Checklist 95. Revision Checklist 109 split the paragraph into two subparagraphs, (C)(1)&(2), and completely revised the text.
- 6 Paragraph 261.5(f)(2) is also affected by Revision Checklist 47 (53 FR 27162, July 19, 1988).
- 7 Note that the "TC Rule," Revision Checklist 74 (55 FR 11798, March 29, 1990), has also made changes to 261.24(b).
- 8 Paragraph 261.33(c) is also affected by Revision Checklist 41 (52 FR 26012, July 10, 1987).
- 9 This revision fixes an error in the July 1, 1991 CFR which makes it appear that there are two paragraphs designated as 262.34(a)(2) (see the editorial note in the CFR). Revision Checklist 82 originally inserted the first 262.34(a)(2), 262.34(a)(2)(i), and 262.34(a)(2)(ii) and redesignated the old 262.34(a)(2)-(4) as 262.34(a)(3)-(5). However, Revision Checklist 92 redesignated 262.34(a)(3) as 262.34(a)(2), effectively removing the first 262.34(a)(2) and incorporating these requirements into 262.34(a)(1) at 262.34(a)(1)(iii) and (iii)(A)&(B). It was not the Agency's intent to include these requirements both at 262.34(a)(1)(iii)(A)&(B)

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

and at 262.34(a)(2) as is indicated in the July 1, 1991 CFR. The first 262.34(a)(2) in that CFR should not be in the code. Revision Checklist 92 also redesignated 262.34(a)(3)-(5) as 262.34(a)(2)-(4), i.e., returned these subparagraphs to their original numbering prior to the redesignation by Revision Checklist 82. The revision, which is part of Revision Checklist 109, removes the first 262.34(a)(2), returning the code to what was intended by Revision Checklist 92.

- 10 Note that the final rule for Revision Checklist 39 (52 FR 25787) gives Subpart E, 262.51 as the citation for the section titled "Farmers." This is not correct as the August 8, 1986 (51 FR 28664, Revision Checklist 31) final rule regarding exports changed this section and moved it to Subpart G, 262.70. This error in the final rule was detected when Revision Checklist 39 was developed, and the proper citation (262.70) was used on that checklist. This error was ultimately corrected at 53 FR 27164 (July 19, 1988; Revision Checklist 48).
- 11 See the technical correction to the rule addressed by Revision Checklist 34 at 52 FR 21010 (June 4, 1987, included on Revision Checklist 34).
- 12 Subparagraphs 264.13(a)(1) and 265.13(a)(1) are also affected by Revision Checklist 64 (54 FR 33376, August 14, 1989).
- 13 This code is part of the optional requirements for the alternate treatment standards for lab packs under the Third Third Scheduled Waste Rule. If adopted, all of the requirements (i.e., 264.316(f), 265.316(f), 268.7(a)(8), 268.42(c), 268.42(c)(1)-(4), and Appendix IV to Part 268) related to these alternate treatment standards must be adopted.
- 14 Revision Checklist 109 [57 FR 37194 (August 18, 1992)] added these subparts to Parts 264 and 265.
- 15 Note that there is an error in the Federal Register for Revision Checklist 109 (57 FR 37194, August 18, 1992); the deadline for the written notice should be February 18, 1993, rather than November 16, 1992 as it appears in the Federal Register, in keeping with the effective date of these provisions, with the preamble to the rule at 57 FR 37215 (second full paragraph in the right-hand column), and with the similar provision under 265.1101(b)(4)(i).
- 16 Note that there is a typographical error in the Federal Register for Revision Checklist 109 (57 FR 37194; August 18, 1992); "lead" should be "led."
- 17 Note that the Federal Register for Revision Checklist 109 (57 FR 37194; August 18, 1992) introduces an error into the second-to-last sentence of this subparagraph by inserting an extraneous "with" between "§§" and "265.111."
- 18 Note, there is an error in the Federal Register article for Revision Checklist 109 (57 FR 37194; August 18, 1992). The phrase "as needed to permit" should read "as needed to prevent."

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

- 19 Note, in the FR article for Revision Checklist 137 (59 FR 47982; September 19, 1994), there is an error in the internal references in this paragraph--"subparts A through N of parts 124, 264, 265, 268 and 270" should be "subparts A through N of parts 264 and 265, and parts 268, 270, and 124." The correct internal references are given on the checklist.
- 20 There is a typographical error in the FR article for Revision Checklist 137 (59 FR 47982; September 19, 1994): the reference to "appendix IX" should be to "appendix XI." In the version of 266.100(c)(3)(i)(A) prior to this rule, the reference was to "appendix XI", but this rule incorrectly changed it to "appendix IX." States should not make this change. As such, this change was not listed on the checklist.
- 21 The original subparagraph 268.1(c)(3) was introduced by Revision Checklist 34, modified by Checklist 39, then removed by Revision Checklist 50, with 268.1(c)(4) redesignated as (c)(3). The redesignated subparagraph 268.1(c)(3) was subsequently removed by Revision Checklist 66. A new subparagraph was introduced into the code by Revision Checklist 78. The April 8, 1996 final rule (61 FR 15660; Revision Checklist 151) removed and reserved 268.1(c)(3). The June 28, 1996 final rule (61 FR 33680) from the same checklist added a new 268.1(c)(3) that is very similar to the paragraph that existed prior to the April 8, 1996 final rule at 61 FR 15660.
- 22 There is a typographical error in the June 28, 1996, technical correction (61 FR 33680; Revision Checklist 151: the internal reference "40 CFR 146.6(a)" should be "40 CFR 144.4(a)".
- 23 Subparagraph 268.1(c)(3)(iii) was introduced into the Federal code by Revision Checklist 137 and removed by Revision Checklist 151 (see the April 8, 1996 (61 FR 15660) and the June 28, 1996 (61 FR 33680) final rules).
- 24 Subparagraph 268.1(c)(4) originated in Revision Checklist 34, was modified by Revision Checklist 39, redesignated as 268.1(c)(3) while the original 268.1(c)(5) was redesignated as 268.1(c)(4) by Revision Checklist 50, and finally removed by Revision Checklist 66. Revision Checklist 151 (61 FR 33680; June 28, 1996) added a new 268.1(c)(4) and (c)(4)(i)-(iv).
- 25 Subparagraph 268.1(c)(5) originated in Revision Checklist 39 and was revised by Revision Checklist 48. This text was redesignated as 268.1(c)(4), and new 268.1(c)(5) text was introduced by Revision Checklist 50. This subparagraph was finally removed by Revision Checklist 78.
- 26 Note that the changes made by the first April 8, 1996 final rule for Revision Checklist 151 (61 FR 15566) were withdrawn by the second April 8, 1996 final rule (61 FR 15660). Thus, effectively, Revision Checklist 151 made no changes to these subparagraphs. The 1995 CFR should be used for the correct version.
- 27 There is a typographical error in the title of this section as printed in 58 FR 29860 (May 24, 1993; Revision Checklist 124); "scope/and" should be "scope and." States should retain the correct title as it appears in the

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

CFR.

- 28 The first rule of Revision Checklist 151 (April 8, 1996; 61 FR 15566) removed this subparagraph. However, the paragraph was reinstated by the final rule issued on April 8, 1996 (61 FR 15660). States should use the 1995 CFR for the correct version.
- 29 This paragraph regarding the Part 268 exemption for universal waste is included on the Consolidated LDR Checklist for completeness only. See Pre-note 11 for further discussion regarding Universal Waste rule.
- 30 The first rule of Revision Checklist 151 (April 8, 1996; 61 FR 15566) added paragraphs 268.2(k)&(l). However, these paragraphs were withdrawn by the second rule of the same checklist (April 8, 1996; 61 FR 15660).
- 31 These definitions were introduced into the code as part of 268.2(a) by Revision Checklist 34. Revision Checklist 78 designated them as individual paragraphs 268.2(b) and (c). The text of the old 268.2(b), introduced into the code by Revision Checklist 34, was deleted from the section by Revision Checklist 78.
- 32 Paragraph 268.2(c) is also affected by Revision Checklist 121 (58 FR 8658; February 16, 1993).
- 33 This definition was introduced into the code as part of 268.2(a) by Revision Checklist 39. Revision Checklist 78 designated it as an individual paragraph 268.2(e).
- 34 Subparagraphs 268.2(f)(1)&(2) were introduced into the Federal code by Revision Checklist 78, amended by Revision Checklist 83, and removed by the first final rule of Revision Checklist 151 (April 8, 1996; 61 FR 15566).
- 35 Subparagraph 268.2(f)(3) was introduced into the Federal code by Revision Checklist 78 and removed by the first final rule of Revision Checklist 151 (April 8, 1996; 61 FR 15566).
- 36 Subparagraphs 268.2(g)(1) through (8) were introduced into the code by Revision Checklist 78, modified by Revision Checklist 83, and removed by Revision Checklist 109.
- 37 This paragraph was amended by both the September 19, 1994 (59 FR 47982) and the January 3, 1995 (60 FR 242) Federal Register articles for Revision Checklist 137.
- 38 The first rule of Revision Checklist 151 (April 8, 1996; 61 FR 15566) introduced this 268.2(j); a typographical error was corrected by the June 28, 1996 (61 FR 33680) final rule of the same checklist.
- 39 This subparagraph was originally 268.3 when it was added to the code by Revision Checklist 34. However, it was redesignated as 268.3(a) by Revision Checklist 78.

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as of February 19, 1997 (cont'd)

- 40 The first rule of Revision Checklist 151 (April 8, 1996; 61 FR 15566), revised subparagraph 268.3(b). However, this revision was withdrawn by the second final rule of that checklist (April 8, 1996; 61 FR 15660). The subparagraph was revised again by the June 28, 1996 (61 FR 33680) final rule of the same checklist.
- 41 The first final rule of Revision Checklist 151 (April 8, 1996; 61 FR 15566) introduced 268.3(c). It was then revised by the second April 8, 1996 final rule (April 8, 1996; 61 FR 15660).
- 42 Revision Checklist 109 redesignated the old 268.5(h)(2)(v) as 268.5(h)(2)(vi) and added a new 268.5(h)(2)(v).
- 43 268.6(c) was originally introduced by Revision Checklist 34. Revision Checklist 50 redesignated that 268.6(c) as 268.6(d) and inserted a new 268.6(c).
- 44 The original 268.6(d) was introduced by Revision Checklist 34. Revision Checklist 50 redesignated that paragraph as 268.6(g). That same checklist redesignated 268.6(c) as 268.6(d).
- 45 268.6(e) was introduced by Revision Checklist 34. Revision Checklist 50 redesignated that 268.6(e) as 268.6(h) and inserted a new 268.6(e).
- 46 268.6(f) was introduced by Revision Checklist 34. Revision Checklist 50 redesignated that 268.6(f) as 268.6(i) and inserted a new 268.6(f).
- 47 268.6(d)-(j) were originally introduced by Revision Checklist 34. Revision Checklist 50 redesignated these paragraphs as 268.6(g)-(m).
- 48 268.6(k) was originally introduced by Revision Checklist 39. Revision Checklist 50 redesignated it as 268.6(n).
- 49 Note, Revision Checklist 126 (58 FR 46040; August 31, 1993), a non-LDR checklist, replaced the TCLP (method 1311) in Appendix II to Part 261 and the EP toxicity test method (method 1310) in Part 268, Appendix IX with notes referencing the TCLP and EP in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" as incorporated by reference at 260.11(a). All references to Part 261, Appendix II and Part 268, Appendix IX were revised to reflect these changes. Revision Checklist 126 did not revise the content nor the intended use of the TCLP or the EP toxicity methods. See Pre-note 6 for further discussion.
- 50 Note, there are two typographical errors in the September 19, 1994 FR article for Revision Checklist 137 (59 FR 47982): there should be a ")" after "§268.2" and "(SW-846)" should be "(SW-846)". There is also a typographical error in the first April 8, 1996, rule (61 FR 15566; Revision Checklist 151): in the last sentence, insert a closing parenthesis after "as defined in § 268.2". This error also appears in the July 1, 1996 CFR.
- 51 Although included on Checklist 137 (59 FR 47982; September 19, 1994), this paragraph was not affected by the rule. It was included only for continuity.

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as of February 19, 1997 (cont'd)

- 52 There is a typographical error in 58 FR 29860 (May 24, 1993; Revision Checklist 124) which revised 268.7(a)(1)(ii) & 268.7(b)(4)(ii): "reactive cyanides" should appear in italic type as it does in the CFR.
- 53 There is a typographical error in the first April 8, 1996, rule (61 FR 15566; Rule 151) of Revision Checklist 151: "and (f)" should be "and (f))". i.e., there should be a second ")" after "(f)".
- 54 Revision Checklist 109 redesignated the old 268.7(a)(1)(iv) as 268.7(a)(1)(v) and added a new 268.7(a)(1)(iv). Note that there is a typographical error in the Federal Register rule for Revision Checklist 109. The instructions preceding the change to 268.7 (on page 57 FR 37270) incorrectly say that 268.7(a)(1)(v) is added; however, the change shown is that a new 268.7(a)(1)(iv) is added, as described in this footnote.
- 55 Subparagraph 268.7(a)(1)(vi) was originally introduced into the Federal code by the September 19, 1994 (59 FR 47982) and the January 3, 1995 (60 FR 242) Federal Register articles for Revision Checklist 137. It was removed by the first April 8, 1996 (61 FR 15566) final rule of Revision Checklist 151.
- 56 Note that the rule addressed by Revision Checklist 78 (55 FR 22520) makes it appear as if 268.7(a)(3)(iii)-(v) were removed (see page 22687). This was an error and these subparagraphs should remain in the code. Note that there is a typographical error in the Federal Register article for Revision Checklist 109. The instructions preceding 268.7 (on page 57 FR 37270) incorrectly say 268.7(a)(3)(vi) is added. It is a new 268.7(a)(3)(v) which is added and the old 268.7(a)(3)(v) is redesignated as 268.7(a)(3)(vi).
- 57 Note that there is a typographical error in the Federal Register article for Revision Checklist 109; there should be a comma, not a semicolon, after the second occurrence of "containers" in 268.7(a)(4).
- 58 Initially, subparagraphs 268.7(a)(4)(i)-(iv) were introduced into the code by Revision Checklist 50. Revision Checklist 78 completely changed the text of (a)(4)(i)-(iii) and removed (a)(4)(iv).
- 59 This subparagraph was originally 268.7(a)(4) when it was added to the code by Revision Checklist 34. However, it was redesignated as 268.7(a)(5) by Revision Checklist 50.
- 60 268.7(a)(7) was originally 268.7(a)(6) on Revision Checklist 50. Revision Checklist 83 inserted a new 268.7(a)(6) and redesignated the old 268.7(a)(6) as 268.7(a)(7). Revision Checklist 83 also redesignated 268.7(a)(7)-(a)(9) as 268.7(a)(8)-(a)(10).
- 61 These subparagraphs were originally 268.7(b)(1) and 268.7(b)(1)(i)-(iv) when they were added to the code by Revision Checklist 34. However, they were redesignated as 268.7(b)(4) and 268.7(b)(4)(i)-(iv) by Revision Checklist 50.
- 62 These subparagraphs were originally 268.7(b)(2) and 268.7(b)(2)(i)-(ii) when they were added to the code by Revision Checklist 34. However, they were redesignated as 268.7(b)(5) and 268.7(b)(5)(i)-(ii) by Revision Checklist 50.

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as of February 19, 1997 (cont'd)

- 63 This paragraph was originally 268.7(b)(8) when it was entered into the code by Revision Checklist 50, but it was redesignated as 268.7(b)(7) by Revision Checklist 78 because the old 268.7(b)(7) and 268.7(b)(7)(i)-(iv) were removed by Revision Checklist 78. Revision Checklist 66 corrected 268.7(b)(8) before it was redesignated by Revision Checklist 78.
- 64 The notice, certification and test requirements currently found in Federal code at 268.7(c)(1) and (c)(2) were originally addressed in paragraph 268.7(c), as introduced into the code by Revision Checklist 34. 268.7(c) was subsequently modified by Revision Checklists 39 and 50. Revision Checklist 39 added the testing requirements now found at 268.7(c)(2), although at the time, these requirements were still part of 268.7(c). It was Revision Checklist 50 that significantly revised the paragraph so that the notice and certification requirements now appear at (c)(1) and the testing requirements appear at (c)(2). The checklist reference column, then, includes all relevant checklists for 268.7(c)(1) and (c)(2) rather than just Revision Checklist 50, which primarily affected the formatting changes.
- 65 Subparagraphs 268.7(c)(3) and (c)(4), introduced into the code by Revision Checklists 50 and 66, respectively, were removed from the code by Revision Checklist 78.
- 66 There appears to be an error in the January 3, 1995 amendment for Revision Checklist 137 (60 FR 242). The phrase "or State authorized to implement part 268 requirements" is printed twice in the same sentence.
- 67 Section 268.8 was removed and reserved by the first rule of Revision Checklist 151 (April 8, 1996; 61 FR 15566). Note, however, there are numerous internal references to this section throughout the CFR that were not removed.
- 68 The first April 8, 1996, rule of Revision Checklist 151 (61 FR 15566) added subparagraphs 268.9(d)(3) and 268.9(e)-(g), which were subsequently withdrawn by the second final rule of that checklist (April 8, 1996; 61 FR 15660).
- 69 Note that there is a typographical error in the Federal Register article for Revision Checklist 137 (59 FR 47982; September 19, 1994). There should be a closing parenthesis following the phrase "(as defined in 268.2(i)".
- 70 The rest of Subpart B is not included in this checklist because it deals with the schedule with which EPA will restrict wastes from land disposal. States do not need to adopt those sections (i.e., 268.10-268.13).
- 71 The 268.30(a) introduction appeared in the final rule addressed by Revision Checklist 50, but was not changed by that rule. See Revision Checklist 50 for more information.
- 72 These subparagraphs were originally 268.30(c) and 268.30(c)(1)-(3) when they were introduced into the code by Revision Checklist 34. However, Revision Checklist 50 redesignated them as 268.30(d) and 268.30(d)(1)-(3) because that checklist inserted a new paragraph at 268.30(c).

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

- 73 These subparagraphs were originally 268.31(b) and 268.31(b)(1)-(3) when they were introduced into the code by Revision Checklist 34. However, Revision Checklist 50 redesignated them as 268.31(d) and 268.31(d)(1)-(3) because that checklist inserted a new paragraph at 268.31(b).
- 74 While this subparagraph appeared in the final rule addressed by Revision Checklist 50, this rule did not change this subparagraph. See Footnote 7, page 37 of Revision Checklist 50.
- 75 This subparagraph was originally 268.35(e) when introduced into the code by Revision Checklist 78. However, Revision Checklist 116 redesignated it as 268.35(e)(1), with some modifications, and inserted a new paragraph at 268.35(e).
- 76 The original 268.35(e)(2) was introduced by Revision Checklist 116. Revision Checklist 123 redesignated it as 268.35(e)(4) and added a new 268.35(e)(2).
- 77 Section 268.9 was originally introduced by the first rule of Revision Checklist 151 (April 8, 1996; 61 FR 15566). It was withdrawn and then re-added by the second rule (April 8, 1996; (61 FR 15660). Paragraph 268.39(e) was subsequently revised by the June 28, 1996, technical correction (61 FR 33680) of the same checklist.
- 78 Note there is a typographical error in the second Revision Checklist 151 rule published on April 8, 1996, (61 FR 15660): "268.40)." should be "268.40).)".
- 79 Sections 268.40, 268.41, 268.42, and 268.43 were revised by the Universal Treatment Standards rule addressed by Revision Checklist 137 (59 FR 47982; September 19, 1994; 60 FR 242, January 3, 1995). See pre-note 10 for further discussion.
- 80 There is a typographical error in the September 19, 1994 FR article for Revision Checklist 137 (59 FR 47982): there should not be a "(" before "D001". Note that the first April 8, 1996 final rule of Revision Checklist 151 (61 FR 15566) introduced subparagraphs 268.40 (e)(1)-(4). However, these subparagraphs were withdrawn by the second rule for that checklist published on April 8, 1996 (61 FR 15660).
- 81 There are two typographical errors in the August 26, 1996 FR article for Revision Checklist 151 (61 FR 43924): "biodegradation as defined by the technolgy code BIODG" should be "biodegradation as defined by the technology code BIODG".
- 82 The table in § 268.40 was originally replaced by the first April 8, 1996 final rule of Revision Checklist 151 (61 FR 15566). It was further amended by the second April 8, 1996, the June 28, 1996, July 10, 1996 and the August 26, 1996 final rules. Finally, the February 19, 1997 final rule (62 FR 7502) revised and updated the entire 268.40 Table. The following errors are found in the February 19, 1997 Table:
- There is a typographical error in the Waste Description column for F027: the last closing period should be

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

placed inside the last closing parenthesis.

- The extra period at the end of the Waste Description for F039 should be removed.
- For Endnotes 8 and 9, the last closing period should be placed inside of the last closing parenthesis.
- In Endnote 9, the section symbol ("§") is missing from the internal reference.

- 83 268.42(a)(3) was introduced into the code by Revision Checklist 63. Revision Checklist 78 removed this paragraph and Revision Checklist 83 added a new 268.42(a)(3).
- 84 268.42(a)(4) was introduced into the code by Revision Checklist 63. Revision Checklist 78 removed this paragraph.
- 85 The 55 FR 22520, June 1, 1990, code incorrectly states that a subparagraph 268.42(e) is added. The Federal Register did not contain a 268.42(e); it only added 268.42(c) and (d).
- 86 Note that 268.44(o) and a table listing wastes excluded from the treatment standards under 268.43(a) were added to the CFR by 56 FR 12351, a notice granting treatability variance for facilities located in Chicago, Illinois. Due to the topic, no checklist was necessary for this notice. As such, this paragraph and table were not included in this consolidated checklist as States would likely not want to include it in their code, unless treatability variance was granted to a facility in that State.
- 87 The UTS table at 268.48(a) was initially revised in the first April 8, 1996, article (61 FR 15566, Revision Checklist 151). It was further amended by the June 28, 1996 (61 FR 33680) and the August 26, 1996 (61 FR 43924) final rules. Finally, the February 19, 1997 final rule of Revision Checklist 151 (62 FR 7502) amended and replaced the entire table.
- 88 As background, the TCLP was originally promulgated in 268, Appendix I, on November 7, 1986 (51 FR 40572; Revision Checklist 34) for use in the Land Disposal Restrictions (LDR) program to determine whether certain treated wastes require treatment prior to land disposal and to determine whether certain treated wastes meet the applicable treatment standards. The TC rule, as addressed in Revision Checklist 74 (55 FR 11798, March 29, 1990; 55 FR 27986, June 29, 1990) promulgated a revised TCLP at 261, Appendix II, with modifications based on the Agency's own research and public comment. Subsequent to Revision Checklist 74, the TCLP in 261, Appendix II was replaced by a note referring to the method in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" which is incorporated by reference at 260.11(a).
- 89 Revision Checklist 109 removed the table of F001-F005 spent solvent waste treatment standards and replaced it with a note regarding where such treatment standards may be found.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of February 19, 1997 (cont'd)

90 Revision Checklist 54 revised the section heading, which previously read "Minor Modification of Permits," to read "Permit Modification at the Request of the Permittee." This was an optional change; therefore a State may have the old section title if it elected not to adopt the Checklist 54 changes. States should also note that 270.42 was not required by 271.14 to be part of a State's authorized permit program. Thus, only States which elected to have a section analogous to 270.42 at the time of base program authorization need worry about the 270.42 modifications made to this section by Revision Checklists 34, 39, 54, and 109. Revision Checklist 54 removed portions of the code added by Revision Checklists 34 and 39, i.e., 270.42(o) and 270.42(p) and their subparagraphs. However, these sections have been retained in this Consolidated LDR Checklist because the Revision Checklist 54 deletions were optional. The various scenarios for changes to this section are as follows:

- If the State did not include an analog to 270.42 in its base program, all entries for 270.42 shown in this Consolidated LDR Checklist should be disregarded.
- If the State included an analog to 270.42 in its base program and chose to adopt the optional changes in Revision Checklists 39 and 54, the change to 270.42(e)(3)(ii)(B) should be made; the entries on this Consolidated LDR Checklist for 270.42(o) and (p) and their respective subparagraphs should be disregarded (such code will have been deleted); and the new section title should be used.
- If the State included an analog to 270.42 in its base program, but chose not to adopt the optional changes in Revision Checklists 39 and 54, the change to 270.42(e)(3)(ii)(B) should be made; the State should have analogs to 270.42(o) and (p) and their respective subparagraphs as shown on this Consolidated LDR Checklist; and the old section title may be retained.

91 Appendix I was introduced by Revision Checklist 54 as an optional modification to Section 270.42. Changes to this appendix addressed by Revision Checklists 78, 83, 109 and 124 are relevant only if a State has modified its code to include Appendix I as per Revision Checklist 54.

92 Revision Checklist 78 redesignated the old item B(1)(b) as item B(1)(c) and added a new B(1)(b).

93 Revision Checklist 83 added the footnote symbol to the Class I designation at B(1)(b). Note that both the 1991 and 1992 CFRs have two occurrences of item B(1)(b). The first occurrence (as revised by Revision Checklist 83) is the correct version. The second occurrence of item B(1)(b) is the one added by Revision Checklist 78 (without the Revision Checklist 83 change) and which is removed by Revision Checklist 124.

94 Revision Checklist 124 redesignated the old item B(1)(c) as item B(1)(d) and added a new B(1)(c).

95 Revision Checklist 61 revised and redesignated 270.72(e) as 270.72(b). The Revision Checklist 61 changes are optional, however; therefore, some States may have retained 270.72(e) in their code as introduced by the LDR Revision Checklist 39.

RCRA REVISION CHECKLIST 151

Land Disposal Restrictions Phase III -
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners
61 FR 15566-15660
April 8, 1996

as amended April 8, 1996, at 61 FR 15660-15668
April 30, 1996, 61 FR 19117
June 28, 1996, 61 FR 33680-33690
July 10, 1996, 61 FR 36419-36421
August 26, 1996, 61 FR 43924-43931
February 19, 1997 (62 FR 7502-7600)

(RCRA Cluster VI, HSWA provisions)

Notes: 1) On April 8, 1996 (61 FR 15566), EPA published the rule addressing the Phase III land disposal restrictions the Federal Register. On the same day, at 61 FR 15660, EPA published a second rule that partially withdrew and amended the rule published at 61 FR 15566-15560. Subsequent to April 8, 1996, four technical amendments and corrections were published in the Federal Register. Due to the number of rules (seven total) that comprise Revision Checklist 151, a column has been added to this checklist that provides a reference to the rule that affected each provision. The rules are designated as follows:

Rule 151 :	April 8, 1996	(61 <u>FR</u> 15566-15660);
Rule 151.1:	April 8, 1996	(61 <u>FR</u> 15660-15668);
Rule 151.2:	April 30, 1996	(61 <u>FR</u> 19117);
Rule 151.3:	June 28, 1996	(61 <u>FR</u> 33680-33690);
Rule 151.4:	July 10, 1996	(61 <u>FR</u> 36419-36421);
Rule 151.5:	August 26, 1996	(61 <u>FR</u> 43924-43931); and
Rule 151.6:	February 19, 1997	(62 <u>FR</u> 7502-7600)

2) This Revision Checklist includes a national capacity variance for spent potliners from primary aluminum production (Hazardous Waste Number K088) at 268.39(c). Thus, as of January 8, 1997, K088 wastes and soil or debris containing these wastes were prohibited from land disposal. However, States should note that the national capacity variance has been extended by two subsequent rules. The January 14, 1997, final rule (62 FR 1992; Revision Checklist 155) extended the variance until July 8, 1997. The July 14, 1997, final rule (62 FR 37694; Revision Checklist 160) further extended the variance until October 8, 1997. Therefore, K088 wastes do not have to be treated to meet the Land Disposal Restrictions until October 8, 1997, instead of the January 8, 1997, deadline reflected in this Revision Checklist.

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*LAC 33:V.2201.G.4.b is more stringent than 40 CFR 268.1(c)(3)(ii) federal equivalent because it clarifies the point of injection by specifically stating "at the well head."

**No federal regulation; no state regulation.

***LAC 33:V.2231.A is more stringent than 40 CFR 268.44(a) because the state requires the petitioner to bear the burden of proving that the properties of the waste differ significantly from wastes analyzed in the treatment standards.

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PART 268 - LAND DISPOSAL RESTRICTIONS							
SUBPART A - GENERAL							
PURPOSE, SCOPE AND APPLICABILITY							
1 delete both occurrences of "from land disposal"; insert "or part 148 of this chapter" after "under this part. "	151.1 151.3	268.1(c)(3)	2201.G.4	X			
2 add "and" at end of text	151.1 151.3	268.1(c)(3)(i)	2201.G.4.a	X			
insert "identified in 40 CFR part 261, subpart C" after "waste"; replace "; and" with a period	151.1 151.3	268.1(c)(3)(ii)	*2201.G.4.b			X	
remove	151.1 151.3	268.1(c)(3)(iii)	**N/A	X			
3 add new paragraph; wastes that exhibit a hazardous characteristic (except D003 reactive cyanide and those subject to a treatment method other than DEACT in 268.40) are not prohibited from land disposal if:	151.3	268.1(c)(4)	2201.G.5	X			
the wastes are managed in a treatment system with a permit under Clean Water Act (CWA) §402, or	151.3	268.1(c)(4)(i)	2201.G.5.a	X			

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*LAC 33:V.2201.G.4.b is more stringent than 40 CFR 268.1(c)(3)(ii) federal equivalent because it clarifies the point of injection by specifically stating "at the well head."

**No federal regulation; no state regulation.

***LAC 33:V.2231.A is more stringent than 40 CFR 268.44(a) because the state requires the petitioner to bear the burden proving that the properties of the waste differ significantly from wastes analyzed in the treatment standards.

**RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)**

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
the wastes are treated under the pretreatment requirements of CWA §307, or	151.3	268.1(c)(4)(ii)	2201.G.5.b	X			
the wastes are managed in a zero discharge system engaged in CWA-equivalent treatment as defined in 268.37(a), and	151.3	268.1(c)(4)(iii)	2201.G.5.c	X			
the wastes no longer exhibit a prohibited characteristic at the point of land disposal	151.3	268.1(c)(4)(iv)	2201.G.5.d	X			
[151 changes to paragraph withdrawn by 151.1--use 1995 CFR for correct version]	151 151.1	268.1(e)(3)	2201.I.2	X			
[151 changes to paragraph withdrawn by 151.1--use 1995 CFR for correct version]	151 151.1	268.1(e)(4)	2201.I.3	X			
[subparagraphs added by 151 withdrawn by 151.1]	151 151.1	268.1(e)(4)(i)-(ii)	**N/A	X			
[paragraph removed by 151 was reinstated by 151.1--use 1995 CFR for correct version]	151 151.1	268.1(e)(5)	**N/A	X			

DEFINITIONS APPLICABLE IN THIS PART

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*LAC 33:V.2201.G.4.b is more stringent than 40 CFR 268.1(c)(3)(ii) federal equivalent because it clarifies the point of injection by specifically stating "at the well head."

**No federal regulation; no state regulation.

***LAC 33:V.2231.A is more stringent than 40 CFR 268.44(a) because the state requires the petitioner to bear the burden of proving that the properties of the waste differ significantly from wastes analyzed in the treatment standards.

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
delete ", with the following exceptions:"; add an ending period	151	268.2(f)	2203.A.Waste Waters	X			
remove	151	268.2(f)(1)	**N/A	X			
remove	151	268.2(f)(2)	**N/A	X			
remove	151	268.2(f)(3)	**N/A	X			
insert "fluoride, " before "vanadium"	151	268.2(i)	2203.A.Underlying Hazardous Constituents	X			
add definition of inorganic metal-bearing waste	151 151.3	268.2(j)	2203.A. Inorganic Metal Bearing Wastes	X			
[definition added by 151 was withdrawn by 151.1]	151 151.1	268.2(k)	**N/A	X			
[definition added by 151 was withdrawn by 151.1]	151 151.1	268.2(l)	**N/A	X			
DILUTION PROHIBITED AS A SUBSTITUTE FOR TREATMENT							
[151 changes to paragraph withdrawn by 151.1--use 1995 CFR for correct version]	151 151.1	268.3(a)	2207.A	X			

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*LAC 33:V.2201.G.4.b is more stringent than 40 CFR 268.1(c)(3)(ii) federal equivalent because it clarifies the point of injection by specifically stating "at the well head."

**No federal regulation; no state regulation.

***LAC 33:V.2231.A is more stringent than 40 CFR 268.44(a) because the state requires the petitioner to bear the burden of proving that the properties of the waste differ significantly from wastes analyzed in the treatment standards.

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
replace "a treatment system which treats" with "treatment systems which include land-based units which treat"; replace "or which treats wastes" with ", or which treat wastes in a CWA-equivalent treatment system, or which treat wastes"; replace "has been specified as the treatment standard in § 268.42" with "other than DEACT has been specified in § 268.40 as the treatment standard"	151 151.1 151.3	268.3(b)	2207.B	X			
add new paragraph; combustion of hazardous waste codes listed in part 268 Appendix XI is prohibited unless the waste complies with one or more criteria of 268.3(c)(1)-(6)	151 151.1	268.3(c)	2207.C	X			
add subparagraph; the waste contains hazardous organic constituents or cyanide at levels exceeding the constituent-specific treatment standard of 268.48	151 151.1	268.3(c)(1)	2207.C.1	X			

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*LAC 33:V.2201.G.4.b is more stringent than 40 CFR 268.1(c)(3)(ii) federal equivalent because it clarifies the point of injection by specifically stating "at the well head."

**No federal regulation; no state regulation.

***LAC 33:V.2231.A is more stringent than 40 CFR 268.44(a) because the state requires the petitioner to bear the burden proving that the properties of the waste differ significantly from wastes analyzed in the treatment standards.

**RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)**

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add subparagraph; the waste consists of organic, debris-like materials contaminated with an inorganic metal-bearing hazardous waste	151 151.1	268.3(c)(2)	2207.C.2	X			
add subparagraph; the waste, at the point of generation, has reasonable heating value	151 151.1	268.3(c)(3)	2207.C.3	X			
add subparagraph; the waste is co-generated with wastes for which combustion is a required method of treatment	151 151.1	268.3(c)(4)	2207.C.4	X			
add subparagraph; the waste is subject to Federal and/or State requirements necessitating reduction of organics	151 151.1	268.3(c)(5)	2207.C.5	X			
add subparagraph; the waste contains greater than 1% Total Organic Carbon (TOC)	151 151.1	268.3(c)(6)	2207.C.6	X			

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*LAC 33:V.2201.G.4.b is more stringent than 40 CFR 268.1(c)(3)(ii) federal equivalent because it clarifies the point of injection by specifically stating "at the well head."

**No federal regulation; no state regulation.

***LAC 33:V.2231.A is more stringent than 40 CFR 268.44(a) because the state requires the petitioner to bear the burden proving that the properties of the waste differ significantly from wastes analyzed in the treatment standards.

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
WASTE ANALYSIS AND RECORDKEEPING							
4 revise last sentence; replace "or the characteristic of corrosivity (D002), and is prohibited under § 268.37; and/or the characteristic of organic toxicity (D012-D043), and is prohibited under § 268.38" with "and/or the characteristic of corrosivity (D002), and/or reactivity (D003), and/or the characteristic of organic toxicity (D012-D043), and is prohibited under § 268.37, § 268.38, and § 268.39"; insert "D003," before "D012-D043 wastes"	151	268.7(a)	2245.A	X			
5 insert "D003, and" after "D002"; remove "and in § 268.32 or RCRA section 3004(d)" after "D043"	151	268.7(a)(1)(ii)	2245.B.2	X			
replace "268.45;" at the end of the paragraph with "268.45; and"	151	268.7(a)(1)(iv)	2245.B.5	X			
replace "; and" at the end of the paragraph with a period	151	268.7(a)(1)(v)	2245.B.4	X			
remove	151	268.7(a)(1)(vi)	**N/A	X			

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*LAC 33:V.2201.G.4.b is more stringent than 40 CFR 268.1(c)(3)(ii) federal equivalent because it clarifies the point of injection by specifically stating "at the well head."

**No federal regulation; no state regulation.

***LAC 33:V.2231.A is more stringent than 40 CFR 268.44(a) because the state requires the petitioner to bear the burden proving that the properties of the waste differ significantly from wastes analyzed in the treatment standards.

**RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)**

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
insert "D003, and" after "D002"; remove the comma following "and (f)"; remove "and in § 268.32 or RCRA section 3004(d)" after "D043"	151	268.7(a)(2)(i)(B)	2245.C.1.b	X			
insert "D003," after "D002"	151	268.7(a)(3)(ii)	2245.D.2	X			
5 insert "D003, and" after "D002"; remove "and in § 268.32 or RCRA section 3004(d)" after "D043"; replace ending period with a semicolon	151	268.7(b)(4)(ii)	2247.B.2	X			
insert "D003," after "D002"	151	268.7(b)(5)(iv)	2247.C.4	X			
add new subparagraph; certification for specified characteristic wastes that contain underlying hazardous constituents that are treated on-site	151	268.7(b)(5)(v)	2247.C.5	X			
LANDFILL AND SURFACE IMPOUNDMENT DISPOSAL RESTRICTIONS							
6 remove and reserve	151	268.8	2235	X			

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*LAC 33:V.2201.G.4.b is more stringent than 40 CFR 268.1(c)(3)(ii) federal equivalent because it clarifies the point of injection by specifically stating "at the well head."

**No federal regulation; no state regulation.

***LAC 33:V.2231.A is more stringent than 40 CFR 268.44(a) because the state requires the petitioner to bear the burden proving that the properties of the waste differ significantly from wastes analyzed in the treatment standards.

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
SPECIAL RULES REGARDING WASTES THAT EXHIBIT A CHARACTERISTIC							
insert "this" before "part 268"; replace both occurrences of "40 CFR 261" with "40 CFR part 261"; replace both occurrences of "part 261" with "40 CFR part 261"; replace "the treatment standard for the waste" with "the treatment standard for the waste code" in the second sentence; replace the third sentence with a sentence requiring the generator to determine what underlying hazardous constituents are reasonably expected to be present above the universal treatment standards	151	268.9(a)	2246.A	X			
[151 changes to paragraph withdrawn by 151.1--use 1995 CFR for correct version]	151 151.1	268.9(d)	2246.D	X			
[151 changes to paragraph withdrawn by 151.1--use 1995 CFR for correct version]	151 151.1	268.9(d)(1)(i)-(ii)	2246.D.1.a-b	X			
[151 amendment adding subparagraph was withdrawn by 151.1]	151 151.1	268.9(d)(3)	**N/A	X			

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*LAC 33:V.2201.G.4.b is more stringent than 40 CFR 268.1(c)(3)(ii) federal equivalent because it clarifies the point of injection by specifically stating "at the well head."

**No federal regulation; no state regulation.

***LAC 33:V.2231.A is more stringent than 40 CFR 268.44(a) because the state requires the petitioner to bear the burden proving that the properties of the waste differ significantly from wastes analyzed in the treatment standards.

**RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)**

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
[151 amendment adding subparagraph was withdrawn by 151.1]	151 151.1	268.9(d)(3)(i)-(iv)	**N/A	X			
[151 amendment adding subparagraph was withdrawn by 151.1]	151 151.1	268.9(e)	**N/A	X			
[151 amendment adding subparagraph was withdrawn by 151.1]	151 151.1	268.9(f)	**N/A	X			
[151 amendment adding subparagraph was withdrawn by 151.1]	151 151.1	268.9(g)	**N/A	X			

SUBPART C - PROHIBITIONS ON LAND DISPOSAL

7 WASTE SPECIFIC PROHIBITIONS--SPENT ALUMINUM POTLINERS; REACTIVE; AND CARBAMATE WA

specified wastes and soil and debris contaminated with these wastes are prohibited from land disposal as of July 8, 1996	151 151.1	268.39(a)	2221.F.1	X			
8 as of July 8, 1996, D003 wastes are prohibited from land disposal; exceptions	151 151.1	268.39(b)	2221.F.2	X			
K088 wastes and soil and debris contaminated with these wastes are prohibited from land disposal as of January 8, 1997	151 151.1 151.2	268.39(c)	2221.F.3	X			

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*LAC 33:V.2201.G.4.b is more stringent than 40 CFR 268.1(c)(3)(ii) federal equivalent because it clarifies the point of injection by specifically stating "at the well head."

**No federal regulation; no state regulation.

***LAC 33:V.2231.A is more stringent than 40 CFR 268.44(a) because the state requires the petitioner to bear the burden of proving that the properties of the waste differ significantly from wastes analyzed in the treatment standards.

**RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)**

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
radioactive wastes mixed with specified wastes and soil and debris contaminated with these radioactive mixed wastes are prohibited from land disposal as of April 8, 1998	151 151.1	268.39(d)	2221.F.4	X			
between July 8, 1996 and April 8, 1998, the wastes listed in 268.39(a),(c), and (d) may be disposed in a landfill or surface impoundment only if such unit complies with the requirements of 268.5(h)(2)	151 151.1 151.3	268.39(e)	2221.F.5	X			
the requirements of 268.39(a)-(d) do not apply if:	151 151.1	268.39(f)	2221.F.6	X			
the wastes meet the treatment standards specified in part 268 subpart D	151 151.1	268.39(f)(1)	2221.F.6.a	X			
persons have been granted an exemption from a prohibition pursuant to a petition under 268.6, with respect to the wastes and units covered by the petition	151 151.1	268.39(f)(2)	2221.F.6.b	X			

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*LAC 33:V.2201.G.4.b is more stringent than 40 CFR 268.1(c)(3)(ii) federal equivalent because it clarifies the point of injection by specifically stating "at the well head."

**No federal regulation; no state regulation.

***LAC 33:V.2231.A is more stringent than 40 CFR 268.44(a) because the state requires the petitioner to bear the burden of proving that the properties of the waste differ significantly from wastes analyzed in the treatment standards.

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
the wastes meet the applicable alternate treatment standards established pursuant to a petition granted under 268.44	151 151.1	268.39(f)(3)	2221.F.6.c	X			
persons have been granted an extension to the effective date of a prohibition pursuant to 268.5, with respect to the wastes covered by the extension	151 151.1	268.39(f)(4)	2221.F.6.d	X			
to determine whether a hazardous waste identified in 268.39 exceeds the applicable treatment standards specified in 268.40, the initial generator must test a sample of the waste extract, test the entire waste, or use knowledge of the waste; the waste is prohibited from land disposal, and part 268 requirements apply if the waste contains constituents exceeding part 268 subpart D levels, except as otherwise specified	151 151.1	268.39(g)	2221.F.7	X			

SUBPART D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

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*LAC 33:V.2201.G.4.b is more stringent than 40 CFR 268.1(c)(3)(ii) federal equivalent because it clarifies the point of injection by specifically stating "at the well head."

**No federal regulation; no state regulation.

***LAC 33:V.2231.A is more stringent than 40 CFR 268.44(a) because the state requires the petitioner to bear the burden of proving that the properties of the waste differ significantly from wastes analyzed in the treatment standards.

**RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)**

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
insert "prohibited" before "waste identified"	151.3	268.40(a)	2223.A	X			
replace "(D001, D002" with "(D001-D003"; insert quotation marks before and after "Table UTS,"; insert "as defined in § 268.2(c) of this part" after "land disposal"	151 151.1 151.3	268.40(e)	2223.C	X			
[151 amendment adding subparagraph was withdrawn by 151.1]	151 151.1	268.40(e)(1)	**N/A	X			
[151 amendment adding subparagraph was withdrawn by 151.1]	151 151.1	268.40(e)(2)	**N/A	X			
[151 amendment adding subparagraph was withdrawn by 151.1]	151 151.1	268.40(e)(3)	**N/A	X			
[151 amendment adding subparagraph was withdrawn by 151.1]	151 151.1	268.40(e)(4)	**N/A	X			

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*LAC 33:V.2201.G.4.b is more stringent than 40 CFR 268.1(c)(3)(ii) federal equivalent because it clarifies the point of injection by specifically stating "at the well head."

**No federal regulation; no state regulation.

***LAC 33:V.2231.A is more stringent than 40 CFR 268.44(a) because the state requires the petitioner to bear the burden proving that the properties of the waste differ significantly from wastes analyzed in the treatment standards.

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
9 add paragraph; between August 26, 1996 and August 26, 1997, the treatment standards for listed carbamate wastes and soil contaminated with those wastes may be satisfied by either meeting the constituent concentrations in 268.40 table "Treatment Standards for Hazardous Wastes" or by treating the waste using specified technologies	151.5	268.40(g)	2223.E	X			
10 replace existing table "Treatment Standards for Hazardous Wastes" with the table found at 62 FR 7505-7595 (February 19, 1997)	151 151.1 151.3 151.4 151.5 151.6	268.40/Table	Chapter 22. Table 2	X			
TREATMENT STANDARDS EXPRESSED AS SPECIFIED TECHNOLOGIES							
revise description of technology-based standards for CMBST; high temperature organic destruction technologies, such as combustion in incinerators, boilers or industrial furnaces, and certain non-combustive technologies	151	268.42 Table 1	Chapter 22. Table 3	X			

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*LAC 33:V.2201.G.4.b is more stringent than 40 CFR 268.1(c)(3)(ii) federal equivalent because it clarifies the point of injection by specifically stating "at the well head."

**No federal regulation; no state regulation.

***LAC 33:V.2231.A is more stringent than 40 CFR 268.44(a) because the state requires the petitioner to bear the burden of proving that the properties of the waste differ significantly from wastes analyzed in the treatment standards.

**RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)**

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
VARIANCE FROM A TREATMENT STANDARD							
[151 changes to paragraph withdrawn by 151.1--use 1995 CFR for correct version]	151 151.1	268.44(a)	***2231.A			X	
UNIVERSAL TREATMENT STANDARDS							
replace existing table with the table found at 62 FR 7596-7600 (February 19, 1997)	151 151.3 151.5 151.6	268.48(a)/Table UT	Chapter 22. Table 7	X			
APPENDIX XI TO PART 268							
add new appendix: "Metal Bearing Wastes Prohibited From Dilution in a Combustion Unit According to 40 CFR 268.3(c)"	151	Appendix XI	Chapter 22. Table 5	X			

- ¹ The second Federal Register article published on April 8, 1996, (61 FR 15660; rule 151.1) removed and reserved 268.1(c)(3) (see page 15663, column 1). The June 28, 1996, technical correction (61 FR 33680; rule 151.3), however, added a new 268.1(c)(3) that is very similar to the paragraph that existed in 40 CFR prior to the second April 8, 1996 amendment (rule 151.1). The changes noted on this checklist compare the June 28, 1996, (rule 151.3) version to the version found in the July 1, 1995, CFR. Note that the June 28, 1996, technical correction (rule 151.3) made no real changes to 268.1(c)(3)(i) and removed 40 CFR 268.1(c)(3)(iii).
- ² There is a typographical error in the June 28, 1996, technical correction (61 FR 33680; rule 151.3): the internal reference "40 CFR 146.6(a)" should be 40 CFR "144.6(a)".
- ³ Note that the original 268.1(c)(4), as introduced by Revision Checklist 34 (51 FR 40572; November 7, 1986), was by Revision Checklist 66 (54 FR 36967; September 6, 1989). The June 28, 1996, technical correction in Revision Checklist 151 (61 FR 33680; rule 151.3) added a new 268.1(c)(4) and (c)(4)(i)-(iv).

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*LAC 33:V.2201.G.4.b is more stringent than 40 CFR 268.1(c)(3)(ii) federal equivalent because it clarifies the point of injection by specifically stating "at the well head."

**No federal regulation; no state regulation.

***LAC 33:V.2231.A is more stringent than 40 CFR 268.44(a) because the state requires the petitioner to bear the burden of proving that the properties of the waste differ significantly from wastes analyzed in the treatment standards.

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

- 4 There is a typographical error in the first April 8, 1996, Federal Register article (61 FR 15566; rule 151): in the last sentence, insert a closing parenthesis after "as defined in § 268.2". This error also appears in the July 1, 1996, CFR.
- 5 There is a typographical error in the first April 8, 1996, Federal Register article (61 FR 15566; rule 151): "and (f)" should be "and (f))", i.e., there should be a second ")" after "(f)".
- 6 This section was removed and reserved by the first article published on April 8, 1996, (61 FR 15566; rule 151). N however, there are numerous internal references to this section throughout the CFR that were not removed.
- 7 This section was originally introduced by the first Federal Register article published on April 8, 1996, (61 FR 155 rule 151). It was withdrawn and then re-added by the second article published on April 8, 1996, (61 FR 15660; ru 151.1). Paragraph 268.39(e) was subsequently revised by the June 28, 1996, technical correction (61 FR 33680; r 151.3).
- 8 Note there is a typographical error in the second article published on April 8, 1996, (61 FR 15660; rule 151.1): "268.40))." should be "268.40).)".
- 9 There are two typographical errors in the August 26, 1996 Federal Register (61 FR 43924; rule 151.5): "biodegrad as defined by the technolgy code BIODG" should be "biodegradation as defined by the technology code BIODG"
- 10 The original table in §268.40 was amended by rule 151, 151.1, 151.3, 151.4, and 151.5. The table was entirely rep by the table in the February 19, 1997, Federal Register article (62 FR 7502; rule 151.6). The table below lists the errors associated with those rules.

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*LAC 33:V.2201.G.4.b is more stringent than 40 CFR 268.1(c)(3)(ii) federal equivalent because it clarifies the point of injection by specifically stating "at the well head."

**No federal regulation; no state regulation.

***LAC 33:V.2231.A is more stringent than 40 CFR 268.44(a) because the state requires the petitioner to bear the bur proving that the properties of the waste differ significantly from wastes analyzed in the treatment standards.

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

Waste Code Number	Rule Reference (Federal Register page number)	Error(s)	Comment
F027	151 (p. 15610)	There is a typographical error in the Waste Description column: the last closing period should be placed inside of the last closing parenthesis.	This error is found in rules 151, 151.1, and 151.6. It is also found in the 1996 CFR.
F039	151 (p. 15613) 151 (p. 15615) 151.3 (p. 33686)	(1) The extra period at the end of the Waste Description should be removed. (2) The Nonwastewater Concentrations of 13 for "Diphenylamine" and "Diphenylnitrosamine" were changed to <u>NA</u> . Also, the Nonwastewater Concentration of <u>1.5</u> for 1,2-Diphenylhydrazine was changed to <u>NA</u> .	(1) This error is found in rule 151 and 151.6. It is also found in the 1996 CFR. (2) It appears that the Nonwastewater Concentrations in rule 151 were replaced with "NA" by 151.3. The 1996 CFR, however, retains the rule 151 versions of these concentrations. Rule 151.6 kept "NA" as the Nonwastewater Concentrations.
endnote 8	151.3 (p. 33690)	There is a typographical error in the endnote: the last closing period should be placed inside of the last closing parenthesis.	This error is found in rules 151.3 and 151.6. It is also found in the 1996 CFR.
endnote 9	151.3 (p. 33690) 151.6 (p. 7595)	There is a typographical error in the endnote: the last closing period should be placed inside of the last closing parenthesis. The section symbol ("§") is omitted from the internal reference.	This error is found in rules 151.3 and 151.6. It is also found in the 1996 CFR.

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*LAC 33:V.2201.G.4.b is more stringent than 40 CFR 268.1(c)(3)(ii) federal equivalent because it clarifies the point of injection by specifically stating "at the well head."

**No federal regulation; no state regulation.

***LAC 33:V.2231.A is more stringent than 40 CFR 268.44(a) because the state requires the petitioner to bear the burden of proving that the properties of the waste differ significantly from wastes analyzed in the treatment standards.